

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

SOUTH CENTRAL BELL TELEPHONE )  
COMPANY'S PROPOSED AREA CALLING ) CASE NO. 91-250  
SERVICE TARIFF )

O R D E R

This matter arising upon petition of South Central Bell Telephone Company ("South Central Bell") filed February 21, 1992 to protect as confidential its responses to Item 18(a) of the second data request of the Attorney General and Item 4 of the second data request of AT&T on the grounds that disclosure of the information is likely to cause South Central Bell competitive injury, and it appearing to this Commission as follows:

By this petition, South Central Bell seeks to protect as confidential the price-out information furnished in response to Item 18(a) of the Attorney General's data request and Item 4 of AT&T's data request. The information sought to be protected is not known outside of South Central Bell and is not disseminated within South Central Bell except to those employees who have a business need to know and act upon the information. South Central Bell seeks to preserve and protect the confidentiality of the information through all appropriate means.

KRS 61.872(1) requires information filed with the Commission to be available for public inspection unless specifically exempted by statute. Exemptions from this requirement are provided in KRS

61.878(1). That section of the statute exempts 10 categories of information. One category exempted in subparagraph (b) of that section is commercial information confidentially disclosed to the Commission. To qualify for that exemption, it must be established that disclosure of the information is likely to cause substantial competitive harm to the party from whom the information was obtained. To satisfy this test, the party claiming confidentiality must demonstrate actual competition and a likelihood of substantial competitive injury if the information is disclosed. Competitive injury occurs when disclosure of the information gives competitors an unfair business advantage.

In response to both data requests, South Central Bell has furnished price-out information which contains the expected stimulation of calling volumes under its plan for Area Calling Service and the expected revenue effect per line from introducing the plan. This information provides a clear picture of both high and low toll revenue and volumes by rate group which competitors could use in designing rates to target specific classes of customers. In addition, the information filed in response to Item No. 18a of the Attorney General's second data request would also provide the bill rendering costs of providing billing and collections service. Thus, disclosure of the information is likely to cause South Central Bell competitive injury and the information should be protected as confidential.

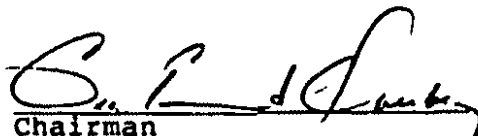
This Commission being otherwise sufficiently advised,

IT IS ORDERED that the responses to Item 18(a) of the Attorney General's second data request and Item 4 of AT&T's

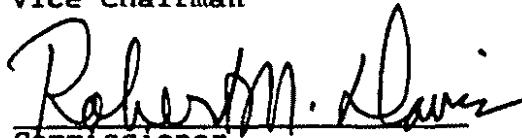
second data request, which South Central Bell has petitioned be withheld from public disclosure, shall be held and retained by this Commission as confidential and shall not be open for public inspection.

Done at Frankfort, Kentucky, this 24th day of March, 1992.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director