

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE PETITION OF SOUTH CENTRAL BELL)	
TELEPHONE COMPANY FOR AN EXEMPTION)	CASE NO.
FROM THE REGULATION FOR)	92-354
TELEMESSAGING SERVICES)	

O R D E R

This matter arising upon petition of BellSouth Telecommunications, Inc. d/b/a South Central Bell Telephone Company ("South Central Bell") filed March 25, 1993 pursuant to 807 KAR 5:001, Section 7, for confidential protection of the information filed in response to Item 1 of the Commission's Order of March 1, 1993 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:

South Central Bell seeks to protect the prices, terms, and conditions applicable to specific MemoryCall Service Agreement arrangements. The information sought to be protected was filed in response to Item 1 of the Commission's Order of March 1, 1993. Copies of the responses, including the information sought to be protected, were served upon the Attorney General and other parties to this proceeding. The request for protection of the information was not filed with the Commission until March 25, 1993, at which time the information had been in the public record for approximately three days.

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 certain commercial information confidentially disclosed to the Commission. Because the exemption is limited to confidential information, information that may be obtained from other sources or information that is or has been a part of the public record is not entitled to protection.

The information sought to be protected in this proceeding was filed on March 22, 1993 and remained in the public record until March 25, 1993. During the interim, the information was generally available for public inspection. Additionally, copies of the information were served upon the Attorney General and presumably available for public inspection in that office. Therefore, the information can no longer be considered confidential and is not entitled to protection.

This Commission being otherwise sufficiently advised,

IT IS ORDERED that:

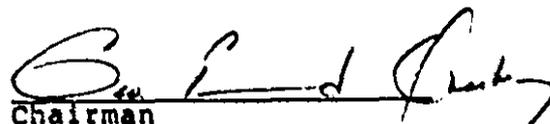
1. The petition to protect as confidential the information filed by South Central Bell in response to Item 1 of the Commission's Order of March 1, 1993, which South Central Bell has petitioned be withheld from public disclosure, be and is hereby denied.

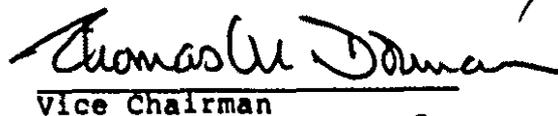
2. The information sought to be protected from disclosure shall be held as confidential and proprietary for a period of 20 days from the date of this Order, at the expiration of which it

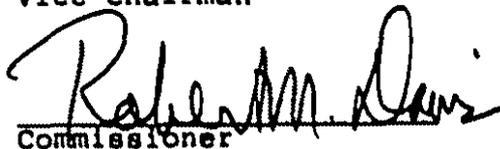
shall be placed in the public record without further Order of the Commission.

Done at Frankfort, Kentucky, this 15th day of April, 1993.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director