

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

REQUEST FOR CONFIDENTIAL TREATMENT OF)
INFORMATION FILED WITH SOUTH CENTRAL) CASE NO. 94-410
BELL TELEPHONE COMPANY'S PROPOSED)
TARIFF FOR AREA NUMBER CALLING SERVICE)

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 October 31, 1994, pursuant to 807 KAR 5:001, Section 7, for confidential protection of the revenue, sales, and contribution projections and cost support data developed in connection with its proposed tariff for Area Number Calling Service 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 proposes to offer a new service to be called Area Number Calling Service. This is an intraLATA routing service which allows a subscriber with multiple locations to advertise one telephone number. Calls to that number may be routed to the most appropriate subscriber location based on time of day, day of week, percent distribution of calls, and wire center locations of the end user. In support of the tariff for this new service, South Central Bell has filed revenue, sales, and

contribution projections and cost support data which it seeks to protect as confidential.

The information sought to be protected is not known outside South Central Bell and is not disseminated within South Central Bell except to those employees who have a legitimate 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, including the maintenance of appropriate security at its offices.

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 11 categories of information. One category exempted in subparagraph (c) 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.

South Central Bell's competitors are other providers of single number service. This could include interexchange carriers. From the information at issue such competitors could determine

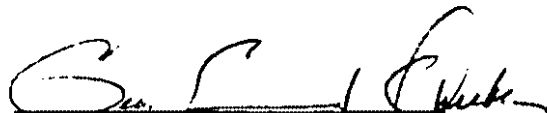
South Central Bell's cost and contribution from the service which they could use in devising competing market strategies. Therefore, disclosure of the information at issue is likely to cause South Central Bell competitive injury, and the information should be protected as confidential.


This Commission being otherwise sufficiently advised,


IT IS ORDERED that the revenue, sales, and contribution projections and cost support data developed in connection with the proposed tariff for Area Number Calling Service, which South Central Bell has petitioned to 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 1st day of December, 1994.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director