

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

REQUEST FOR CONFIDENTIAL TREATMENT OF)
INFORMATION FILED WITH CINCINNATI BELL)
TELEPHONE COMPANY'S PROPOSED REVISIONS) CASE NO. 95-080
TO GENERAL EXCHANGE TARIFF, PSCK NO. 3)
TO OFFER CALLER ID, CALL PARK, AND)
DIRECTED CALL PARK)

O R D E R

This matter arising upon petition of Cincinnati Bell Telephone Company ("Cincinnati Bell"), filed March 1, 1995, pursuant to 807 KAR 5:001, Section 7, for confidential protection of the cost support data developed in connection with Cincinnati Bell's proposed revisions to its tariff on the grounds that disclosure of the information is likely to cause Cincinnati Bell competitive injury, and it appearing to this Commission as follows:

Cincinnati Bell has filed proposed revisions to its General Exchange Tariff, PSCK. No. 3, to offer Caller ID, Call Park, and Directed Call Park. In support of its revisions, Cincinnati Bell has provided cost data which it seeks to protect as confidential.

The information sought to be protected is not known outside Cincinnati Bell and is not disseminated within Cincinnati Bell except to those employees who have a legitimate business need to know and act upon the information. Cincinnati 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.

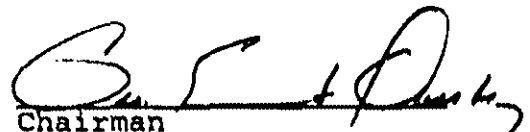
Cincinnati Bell's competitors for Caller ID, Call Park, and Directed Call Park are vendors of private branch exchange or PBX equipment. Disclosure of the information would enable Cincinnati Bell's competitors to determine its cost and contribution from the proposed service which they could utilize in developing competing market and pricing strategies. Therefore, disclosure of the information is likely to cause Cincinnati Bell competitive injury and the information should be protected as confidential.

This Commission being otherwise sufficiently advised,

IT IS ORDERED that the cost information filed in support of the proposed tariff revisions, which Cincinnati 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 29th day of March, 1995.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director