

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PROPOSED SPECIAL CONTRACT OF SOUTH)
CENTRAL BELL TELEPHONE COMPANY ON)
BEHALF OF THE LOCAL EXCHANGE CARRIER) CASE NO. 95-151
TELEPHONE GROUP FOR THE KENTUCKY)
INFORMATION HIGHWAY RFP ET-41-95)

O R D E R

On April 14, 1995, and April 17, 1995, respectively, AT&T Communications of the South Central States, Inc. ("AT&T") and MCI Telecommunications Corporation ("MCI") filed with the Commission data requests propounded to the Local Exchange Carrier Telephone Group ("LECTG") and South Central Bell Telephone Company ("South Central Bell"). On May 1, 1995, South Central Bell filed, on behalf of the LECTG, responses to both data requests. Included in the LECTG response, at 1-3, is a lengthy argument styled "The Local Exchange Carrier Telephone Group's General Objection to AT&T's Data Requests" ("General Objection"). In its General Objection, the LECTG explained that it objects to providing to AT&T and MCI information pertaining to the underlying costs of contract services, the demand used in developing the contract rates, and the design of the network the LECTG proposes to use to provide contract services. Such information, the LECTG claims, is confidential and proprietary. For this reason, the LECTG refused to answer all or part of the following AT&T data requests: 2, 5(d), 11, 12, 14, 16(g), 17, 20, 23, 25, 26, 27, 29(e), 29(f), 30, 31, 33, 34, 37,

and 38. Also pursuant to the General Objection, the LECTG refused to answer MCI data request number 2.

807 KAR 5001, Section 7 (5) (a) provides as follows:

No party to any proceeding before the commission shall fail to respond to discovery by the commission or its staff or any other party to the proceeding on grounds of confidentiality. If any party responding to discovery requests seeks to have a portion or all of the response held confidential by the commission, it shall follow the procedures for petitioning for confidentiality contained in this administrative regulation. Any party's response to discovery requests shall be served upon all parties, with only those portions for which confidential treatment is sought obscured.

IT IS THEREFORE ORDERED that the LECTG shall file with the Commission, in accordance with 807 KAR 5001, Section 7 (5) (a), within five (5) days of the date of this Order, the information and documents requested by MCI and AT&T and withheld on grounds of confidentiality.

Done at Frankfort, Kentucky, this 9th day of May, 1995.

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST:


Executive Director