

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

REQUEST FOR CONFIDENTIAL TREATMENT OF)
INFORMATION FILED WITH BELLSOUTH TELE-)
COMMUNICATIONS, INC. PROPOSED TARIFF) CASE NO. 96-023
FOR CALLER ID - DELUXE ADJUNCT/CREDIT)
PROMOTION)

O R D E R

This matter arising upon petition of BellSouth Telecommunications, Inc. ("BellSouth"), filed January 26, 1996, pursuant to 807 KAR 5:001, Section 7, for confidential protection of the revenue and cost support information filed in support of its proposed Caller ID - Deluxe Adjunct/Credit Promotion on the grounds that disclosure of the information is likely to cause BellSouth competitive injury and it appearing to this Commission as follows:

BellSouth is seeking approval of a promotion for Caller ID - Deluxe Service. The promotion, which is scheduled for March 1996, will permit residential customers purchasing Caller ID - Deluxe to choose either Caller ID - Deluxe Adjunct or a credit of equal value on their telephone bill. In support of the proposed promotion, BellSouth has filed revenue and cost support information which it seeks to protect as confidential.

The information sought to be protected is not known outside of BellSouth and is not disseminated within BellSouth except to those employees who have a legitimate business need to know and act upon the information. BellSouth seeks to preserve and protect the information through all appropriate means, including the maintenance of 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 subsection of the statute exempts several categories of information. One category exempted in paragraph (c)1 of that subsection is commercial information confidentially disclosed to the Commission which if made public would permit an unfair commercial advantage to competitors of the party from whom the information was obtained. To qualify for the exemption, 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.

The petition filed by BellSouth does not identify any competitors who could use the information sought to be protected to BellSouth's disadvantage. Therefore, BellSouth has not established that the information is entitled to protection, and the petition should be denied.

This Commission being otherwise sufficiently advised,

IT IS ORDERED that:

1. The petition to protect as confidential the revenue and cost information filed in support of BellSouth's proposed promotion is denied.

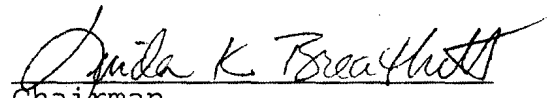
2. The information sought to be protected shall be held and retained by this Commission as confidential for a period of 20 days

from the date of this Order to allow BellSouth an opportunity to file a petition that conforms with the requirements of the statute.

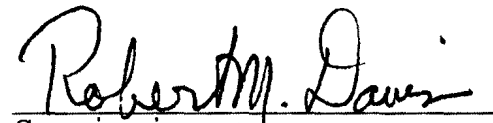
3. If at the expiration of the 20-day period no amended petition has been filed, the information sought to be protected shall, without further Orders herein, be placed in the public record.

Done at Frankfort, Kentucky, this 15th day of March, 1996.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director