

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, and supplemental petition filed March 28, 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 was 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.

BellSouth's competitors for the service it plans to promote are other local exchange carriers and CPE providers. Disclosure of the revenue and cost information sought to be protected would enable these competitors to determine BellSouth's cost and contribution from the service which they could use to market their competing services. Therefore, disclosure of the information is likely to cause BellSouth competitive injury and the information should be protected as confidential.

This Commission being otherwise sufficiently advised,

IT IS ORDERED that the revenue and cost information filed in support of BellSouth's proposed Caller - ID Deluxe Adjunct/Credit

promotion, which BellSouth 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 17th day of April, 1996.

PUBLIC SERVICE COMMISSION

Linda K. Breathitt  
Chairman

E. J. Helms  
Vice Chairman

Robert M. Davis  
Commissioner

ATTEST:

Don Hills  
Executive Director