

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CINCINNATI BELL TELEPHONE COMPANY'S )  
PETITION FOR CONFIDENTIAL TREATMENT ) CASE NO. 96-274  
OF COST DATA FILED IN CONNECTION WITH )  
ANONYMOUS CALL REJECTION SERVICE )

O R D E R

This matter arising upon petition of Cincinnati Bell Telephone Company ("CBT"), filed June 12, 1996, pursuant to 807 KAR 5:001, Section 7, for confidential protection of the cost information filed in support of Anonymous Call Rejection Service on the grounds that disclosure of the information is likely to cause CBT competitive injury, and it appearing to this Commission as follows:

CBT proposes to offer a service called Anonymous Call Rejection. In support of the proposed service, CBT has filed cost information which it seeks to protect as confidential.

The information sought to be protected is not known outside of CBT and is known only to those CBT employees who have a legitimate business need to know and act upon the information. CBT's policy is to preserve the confidentiality of the information through all appropriate means, including the maintenance of proper 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.

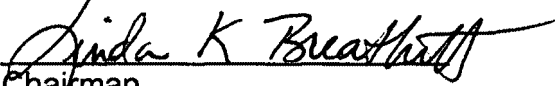
The technology necessary to offer the same or similar services is currently available to CBT competitors. The data sought to be protected contains marketing and cost information which CBT's competitors could use to plan market entry strategies to the detriment of CBT. Therefore, disclosure of the information is likely to cause CBT competitive injury and the information should be protected as confidential.

This Commission being otherwise sufficiently advised,

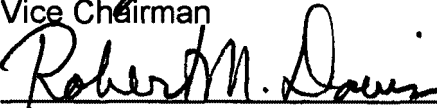
IT IS ORDERED that the cost data filed in support of CBT's proposed Anonymous Call Rejection Service, which CBT has petitioned to be withheld from public disclosure, shall be held and retained by this Commission as confidential and shall not be open for public inspection.

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

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director