

Bill No. CS for SB 1846

Amendment No. ____

1 Section 2. The Legislature finds that it is a public
2 necessity that proprietary confidential business information
3 be kept confidential when held by a local governmental entity
4 pursuant to the public rights-of-way. Disclosure of
5 proprietary confidential business information in a local
6 governmental entity's possession would adversely affect the
7 business interests of telecommunications companies and
8 franchised cable companies providing the information by
9 harming them in the marketplace and compromising the security
10 of the communications network. Further, disclosure of such
11 proprietary confidential business information would impair
12 competition in the communications industry. Disclosure of data
13 prepared by or in the possession of a local government which
14 reveals the type and size of facilities which will be
15 constructed to provide telecommunications services creates a
16 competitive disadvantage for the local government and an
17 unfair advantage for its competitors. Competitors can use such
18 information to thwart full and fair competition, impeding a
19 competitive telecommunications market to the disadvantage of
20 the consumers of telecommunications services. Thus, the
21 public and private harm in disclosing such information
22 significantly outweighs any public benefit derived from
23 disclosure, and the public's ability to scrutinize and monitor
24 agency action is not diminished by nondisclosure of such
25 information.

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