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PUBLIC SERVICE
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COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

LOUISVILLE GAS AND ELECTRIC)
COMPANY)

CASE NO. 2012-00103

_____)

ALLEGED FAILURE TO COMPLY)
WITH KRS 278.042)

PETITION OF LOUISVILLE GAS AND ELECTRIC COMPANY
FOR CONFIDENTIAL PROTECTION OF CERTAIN INFORMATION
PROVIDED IN RESPONSE TO THE COMMISSION'S ORDER OF AUGUST 22, 2012

Louisville Gas and Electric Company ("LG&E" or the "Company") pursuant to 807 KAR 5:001, Section 7, respectfully petitions the Commission to classify as confidential and protect from public disclosure certain mapping reports, construction job cards and training documents. These documents, in their entirety, contain critical energy infrastructure information and private personal information about some Company employees or contractors and customers, such as their names, telephone numbers, and identification numbers. For reasons involving homeland security and personal privacy, the Company respectfully requests that the Commission grant confidential protection to these documents.

In further support of this Motion, the Company states as follows:

1. Under the Kentucky Open Records Act, the Commission is entitled to withhold from public disclosure information confidentially disclosed to it to the extent that open disclosure would "have a reasonable likelihood of threatening the public safety by exposing a vulnerability in preventing, protecting against, mitigating, or responding to a terrorist act and

limited to: ... (f) infrastructure records that expose a vulnerability referred to in this subparagraph through the disclosure of the location, configuration, or security of critical systems, including public utility critical systems. These critical systems shall include but not be limited to information technology, communication, electrical, fire suppression, ventilation, water, wastewater, sewage, and gas systems and (g) the following records when their disclosure will expose a vulnerability referred to in this subparagraph: detailed drawings, schematics, maps, or specifications of structural elements, floor plans, and operating, utility, or security systems of any building or facility owned, occupied, leased, or maintained by a public agency.” *See* KRS 61.878(1)(m)1. Succinctly put, the information contained in the attached documents may provide detailed information about the Company’s distributions system; as such, the disclosure of which could threaten the public safety generally.

2. Under the Kentucky Open Records Act, the Commission is also entitled to withhold from public disclosure, “Public records containing information of a personal nature where the public disclosure thereof would constitute a clearly unwarranted invasion of personal privacy.” *See* KRS 61.878(1)(a). Concerning such personal and private information, the Kentucky Attorney General has “affirmed agency denial of access to a public employee’s home address, home telephone number, date of birth, and social security number. *See*, for example, OAG 79-275; OAG 87-37; OAG 90-60; OAG 91-81; 94-ORD-91.”¹

3. The information contained these documents contains the names, addresses, telephone numbers and identification numbers of several of the Company’s employees, contractors, and customers. This information is private personal information that ought to be protected from disclosure to the public, in accordance with the Attorney General’s opinions cited above.

¹ In re: June Britton/Lexington-Fayette Urban County Government, KY OAG 00-ORD-090 at 3-4 (April 3, 2000).

4. The information for which the Company is seeking confidential treatment is not known outside of the Company, is not disseminated within the Company except to those employees with a legitimate business need to know and act upon the information, and is generally recognized as confidential and proprietary information in the energy industry.

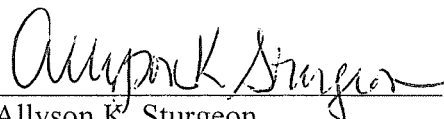
5. If the Commission disagrees with this request for confidential protection, it must hold an evidentiary hearing (a) to protect the Company's due process rights and (b) to supply the Commission with a complete record to enable it to reach a decision with regard to this matter. Utility Regulatory Commission v. Kentucky Water Service Company, Inc., Ky. App., 642 S.W.2d 591, 592-94 (1982).

6. The Company is filing with the Commission one copy of the Confidential Information identified as confidential.

WHEREFORE, Louisville Gas and Electric Company respectfully requests that the Commission grant confidential protection to these documents, in their entirety.

Dated: September 10, 2012

Respectfully submitted,



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