

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PURCHASED GAS ADJUSTMENT )  
FILING OF LOUISVILLE GAS AND ) CASE NO. 2013-00486  
ELECTRIC COMPANY )

ORDER REGARDING REQUEST FOR CONFIDENTIAL TREATMENT

On December 30, 2013, Louisville Gas and Electric Company ("Movant") moved, pursuant to 807 KAR 5:001, Section 13, that certain materials filed with the Commission be afforded confidential treatment and not be placed in the public record subject to public inspection. The information Movant seeks to have treated as confidential is included in its Gas Supply Clause filing ("GSC"), which contains a statement setting forth the summary of the total purchased gas costs for the period August 2013 through October 2013 ("Summary"). Movant states that included in the Summary, as pages 5 and 6 of Exhibit B-1, is sensitive commercial information, the disclosure of which would injure Movant's ability to negotiate future gas supply contracts at advantageous prices and would unfairly advantage Movant's competitors for both gas supplies and retail gas load. Movant also states that this sensitive information identifies Movant's natural gas suppliers for the period set forth and links those providers with specific gas volumes delivered and the costs thereof.

Movant states that the information for which confidential protection is sought is not known outside of Movant and the relevant suppliers, and that it would not be disclosed to any personnel of Movant except those employees with a legitimate

business need to know and act upon the information. Movant further states that the Commission has previously granted confidential protection for the same information contained in prior quarterly GSC filings and that disclosure of this information would minimize competition among Movant's prospective gas suppliers and would allow Movant's competitors to gain an unfair commercial advantage. Finally, Movant requests that the confidential material be treated as confidential for an indefinite period of time.

Based on a review of the information and pursuant to KRS 61.878 and 807 KAR 5:001, Section 13, the Commission finds that disclosure of the information requested to be held confidential would minimize competition among Movant's prospective gas suppliers and would create an unfair commercial advantage to Movant's competitors. Therefore, this information meets the criteria for confidential protection and should be maintained as a non-public part of the Commission's Post Case Referenced Correspondence file for an indefinite period.

The procedure for usage of confidential materials during formal proceedings may be found at 807 KAR 5:001, Section 13(9). If the information becomes publicly available or no longer warrants confidential treatment, Movant should inform the Commission so that the information may be placed in the public record, pursuant to 807 KAR 5:001, Section 13(10),

IT IS THEREFORE ORDERED that:

1. Movant's motion for confidential protection is hereby granted.
2. The materials for which Movant seeks confidential treatment shall neither be placed in the public record nor made available for public inspection for an indefinite period.

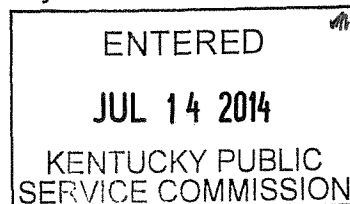
3. Use of the materials in question in any Commission proceeding shall comply with 807 KAR 5:001, Section 13(9).

4. Movant shall inform the Commission if the materials in question become publicly available or no longer qualify for confidential treatment.

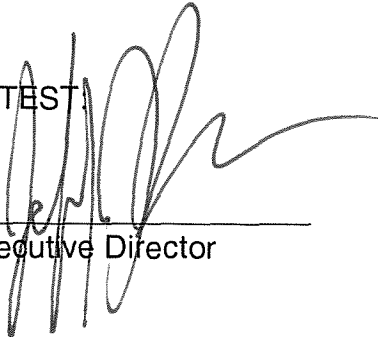
5. If a non-party to this proceeding requests to inspect materials granted confidential treatment by this Order and the period during which the materials have been granted confidential treatment has not run, the Movant shall have 20 days from receipt of written notice of the request to demonstrate that the materials still fall within the exclusions from disclosure requirements established in KRS 61.878. If Movant is unable to make such demonstration, the requested materials shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

6. The Commission shall not make the requested materials available for inspection for 20 days following an Order finding that the materials no longer qualify for confidential treatment in order to allow Movant to seek a remedy afforded by law.

By the Commission



ATTEST

  
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Executive Director

Robert M Conroy  
Director, Rates  
Louisville Gas and Electric Company  
220 W. Main Street  
P. O. Box 32010  
Louisville, KY 40202