

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF COLUMBIA GAS OF)	
KENTUCKY, INC. TO IMPLEMENT A NEW)	
SMALL VOLUME GAS)	
TRANSPORTATION SERVICE, A GAS)	CASE NO. 2004-00462
PRICE HEDGING PLAN, AN OFF-)	
SYSTEM SALES AND CAPACITY)	
RELEASE REVENUE SHARING)	
MECHANISM, AND A GAS COST)	
INCENTIVE MECHANISM)	

ORDER REGARDING REQUEST FOR CONFIDENTIAL TREATMENT

On June 2, 2014, Columbia Gas of Kentucky, Inc. (“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 Movant’s Final Hedging Report (“Report”) for the 2013-2014 heating season.

Movant states that on March 29, 2005, the Commission granted confidential treatment of its Gas Price Hedging Plan (“Plan”) and that in Case No. 2010-00365,¹ the Commission authorized Movant to extend its hedging program through March 31, 2015. Under Movant’s Plan, a historically based benchmark price is derived from winter-period price information, and trigger prices are then determined based on the Benchmark Price. Movant states that each trigger price has a specified quantity of Movant’s winter gas purchase requirements associated with it. Movant then hedges the price on

¹ Case No. 2010-00365, *Application of Columbia Gas of Kentucky, Inc. to Extend Its Gas Price Hedging Plan* (Ky. PSC Nov. 23, 2010).

specified gas quantities that are to be purchased in future winter months when the New York Mercantile Exchange winter strip price is less than or equal to a trigger price.

Movant states that the Report identifies the trigger prices and the quantities of gas to be hedged at these identified prices, and that this information is confidential and proprietary. Movant asserts that if this information were to be publicly disclosed, it would damage Movant's competitive position to the detriment of Movant and its customers. Movant also maintains that the trigger price information constitutes a trade secret within the meaning of KRS 365.880(4)(a) and (b), and that its disclosure is either prohibited or restricted by the express provisions of KRS 365.880 through 365.894.

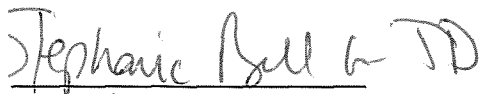
Based on a review of the information and pursuant to KRS 61.878, 807 KAR 5:001, Section 13, and KRS 365, the Commission finds that the information requested to be held confidential meets the criteria for confidential protection and that disclosure of this information would minimize competition among Movant's prospective gas suppliers and would permit unfair commercial advantage to Movant's competitors. The Commission also finds that this information should be maintained as a non-public part of the Commission's Post Case Referenced Correspondence for an indefinite period of time. Finally, the Commission finds that the procedure for use of confidential materials during formal proceedings may be found at 807 KAR 5:001, Section 13(9), and that 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 of time.
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:


Executive Director

