

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF COLUMBIA GAS OF)
KENTUCKY, INC. TO EXTEND ITS GAS) CASE NO. 2013-00354
PRICE HEDGING PLAN)

ORDER REGARDING REQUEST FOR CONFIDENTIAL TREATMENT

On September 25, 2013, Columbia Gas of Kentucky, Inc. (“Movant”) moved, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878, that certain materials filed with the Commission be afforded confidential treatment and not be placed in the public record subject to public inspection.

In support of its motion, Movant states that the information it is requesting to be held confidential is contained in part of its Application which identifies information about the quantities of gas to be hedged at identified Trigger Prices. Movant states that under its proposed Gas Price Hedging Plan (“Plan”), a historically based Benchmark Price is derived from winter period price information. Trigger Prices are then determined based on the Benchmark Price. Each Trigger Price has a specified quantity of Movant’s winter gas purchase requirements associated with it. Movant is requesting that the part of the Plan that identifies information about these Trigger Prices and the quantities of gas to be hedged at the identified Trigger Prices be afforded confidential treatment until April 1, 2018.

Movant states that the Trigger Price information is confidential and proprietary and also represents “trade secrets” within the meaning of KRS 365.880(4)(a) and (b),

and its disclosure is either prohibited or restricted by the express provisions of §§ KRS 365.880 through 365.894. Movant further states that this information should receive confidential treatment by the Commission because its public disclosure would damage Movant's competitive position and business interests by providing competitors and financial traders with information that would enable them to determine the timing and approximate volume of Movant's hedging activity. Gaining this information might enable Movant's competitors to take financial positions based on this information to the detriment of Movant's ability to obtain the lowest-cost gas for its customers and Movant's ability to compete for customers. Movant states that this Trigger Price information is currently not disclosed to the public.

Having carefully considered the motion and the materials at issue, the Commission finds that:

1. The materials for which Movant seeks confidential treatment meet the criteria for confidential treatment and are exempted from public disclosure pursuant to KRS 61.878 and 807 KAR 5:001, Section 13.

2. The materials for which Movant seeks confidential treatment should not be placed in the public record or made available for public inspection until April 1, 2018.

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 until April 1, 2018.

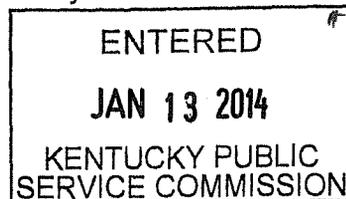
3. Use of the materials in question in any Commission proceeding shall comply with 807 KAR 5:001, Section 13(9).

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

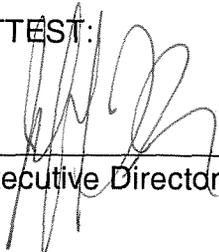
5. If a non-party to this proceeding requests to inspect materials granted confidential treatment by this Order and the period during which the materials have been granted confidential treatment has not run, the Movant shall have 20 days from receipt of written notice of the request to demonstrate that 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

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