

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF WKG STORAGE, INC. FOR)	
RATE ADJUSTMENT FOR SMALL UTILITIES)	CASE NO.
PURSUANT TO 807 KAR 5:076)	2016-00053

ORDER

On May 20, 2016, WKG Storage, Inc. ("WKG"), pursuant to 807 KAR 5:001, Section 13, moved that certain portions of its responses to the Attorney General of the Commonwealth of Kentucky's first request for information ("AG's First Request") filed with the Commission be afforded confidential treatment. The information is more particularly described as WKG's Response to AG's First Request 3-01(c), attachments 1-9, containing information about the company's state and federal income tax returns. WKG requests that the information be held confidential indefinitely.

In support of this motion, WKG states that disclosure of the designated information could cause substantial competitive harm to WKG if it were publicly disclosed. WKG further states that the designated information is exempted from public disclosure and thus is generally recognized as confidential pursuant to KRS 61.878(1)(c)(1) and KRS 61.878(1)(k).

Having carefully considered the petition and the materials at issue, the Commission finds that the designated materials contained in WKG's responses to AG's First Request, Item 3-01(c), attachments 1-9, meet the criteria for confidential treatment and are exempted from public disclosure pursuant to KRS 61.878(1)(c), KRS 61.878(1)(k), and 807 KAR 5:001, Section 13. The Commission further finds that the

designated information should not be placed in the public record or made available for public inspection indefinitely, or until further Orders of this Commission.

IT IS THEREFORE ORDERED that:

1. WKG's motion for confidential protection is hereby granted.
2. WKG's responses to AG's First Request, Item 3-01(c), attachments 1–9, shall not be placed in the public record or made available for public inspection indefinitely, or until further Orders of this Commission.
3. Use of the materials in question in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).
4. WKG 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, then WKG 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 WKG 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 WKG to seek a remedy afforded by law.

By the Commission

ENTERED
JAN 04 2017
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


Executive Director

Case No. 2016-00053

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