

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ADJUSTMENT OF THE PIPE REPLACEMENT)	CASE NO.
PROGRAM RIDER OF DELTA NATURAL GAS)	2019-00074
COMPANY, INC.)	

ORDER

This matter arises on a petition filed on April 5, 2019, by Delta Natural Gas Company (Delta), pursuant to 807 KAR 5:001, Section 13, requesting that designated materials filed with the Commission be afforded confidential protection for five years.

In support of its petition filed on April 5, 2019, Delta states that public disclosure of the designated materials contained in its Response to the Commission Staff's Initial Request for Information, Item 4(a), would result in competitive injury by hindering Delta's ability to receive the best proposals and procure the best contract terms in future negotiations for these resources by providing potential vendors with the price ceiling on what Delta is willing to pay.

Having considered the petition and the materials at issue, the Commission finds that the designated materials described in Delta's April 5, 2019 petition meet the criteria for confidential treatment and are exempted from public disclosure pursuant to KRS 61.878(1)(c)(1).

IT IS THEREFORE ORDERED that:

1. Delta's April 5, 2019 petition for confidential protection is granted.

2. The designated materials shall not be placed in the public record or made available for public inspection for five years, or until further Orders of this Commission.

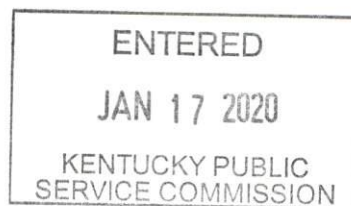
3. Use of the designated materials in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).

4. Delta shall inform the Commission if the designated materials become publicly available or no longer qualify for confidential treatment.

5. If a non-party to this proceeding requests to inspect the designated materials granted confidential treatment by this Order and the period during which the materials have been granted confidential treatment has not expired, Delta shall have 30 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 Delta 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 designated materials available for inspection for 30 days following an Order finding that the materials no longer qualify for confidential treatment in order to allow Delta to seek a remedy afforded by law.

By the Commission



ATTEST:


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