

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

KENTUCKY UTILITIES COMPANY )

COMPLAINANT )

vs. )

HENDERSON-UNION RURAL ELECTRIC )  
COOPERATIVE CORPORATION )

DEFENDANT )

CASE NO. 89-349


O R D E R

Kentucky Utilities Company ("KU") having renewed its motion for authority to provide temporary service to Pyro Mining Company ("Pyro") from the terminus of KU's existing 69 KV line at Pyro's Popular Ridge Mining site and having also moved to amend the briefing schedule established in this case, and the Commission finding no basis to disturb its prior Order of March 12, 1990 on these matters,

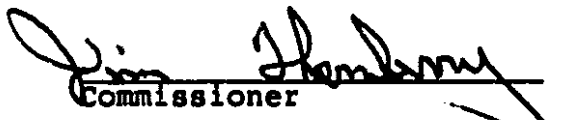
IT IS HEREBY ORDERED that KU's motion to amend the briefing schedule and for authority to provide temporary service to Pyro from the terminus of its existing facilities at Pyro's Popular Ridge Mining site is denied.

Done at Frankfort, Kentucky, this 24th day of April, 1990.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director

this test, the party claiming confidentiality must demonstrate actual competition and a likelihood of substantial competitive injury if the information is disclosed. Competitive injury occurs when disclosure of the information gives competitors an unfair business advantage.

The petition neither identifies competitors who would benefit from the information sought to be protected nor does it demonstrate how disclosure of the information is likely to result in competitive injury. Therefore, the petition cannot be granted.

This Commission being otherwise sufficiently advised,

IT IS ORDERED that:

1. The petition by LDDS for confidential protection of the information sought to be protected shall be held in abeyance to allow LDDS to supplement its petition with a statement identifying competitors who would benefit from public disclosure of the information and setting forth with specificity how the information would be used by such competitors to the competitive detriment of LDDS.


2. If such statement is not filed within 10 days, the petition for confidentiality shall, without further Orders herein, be denied.

Done at Frankfort, Kentucky, this 31st day of January, 1990.

ATTEST:

  
Executive Director

PUBLIC SERVICE COMMISSION

  
for the Commission