

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

| | | |
|-----------------------------------|---|-----------------|
| APPLICATION OF KENTUCKY UTILITIES |) | |
| COMPANY FOR A CERTIFICATE OF |) | |
| CONVENIENCE AND NECESSITY TO |) | CASE NO. 92-005 |
| CONSTRUCT A SCUBBER ON UNIT NO. 1 |) | |
| OF ITS GHENT GENERATING STATION |) | |

O R D E R

This matter arising upon petition of Kentucky Utilities Company ("KU") filed March 6, 1992 and supplemented March 13, 1992 pursuant to 807 KAR 5:001, Section 7, for confidential protection of its responses to Item 3 of the Commission's Order of February 25, 1992, the Attorney General's Data Request 6, the Kentucky Industrial Utility Customers' Data Requests 1 and 12, and the PROSCREEN database formats and input file commands relating to the PROSCREEN II studies requested by the Commission on March 13, 1992 on the grounds that disclosure of the information is likely to cause competitive injury, and it appearing to this Commission as follows:

KU has requested confidential protection of certain responses to information which it has been requested to file in this proceeding in response to various data requests. KU maintains that disclosure of this information is likely to cause it competitive injury and it therefore is entitled to protection as confidential. The information sought to be protected, however,

was not filed with the petition and the petition is therefore deficient.

807 KAR 5:001, Section 7, provides the procedure for obtaining confidential protection of information filed with the Commission. Subsection (2)(a)(2) requires the petitioner to attach one copy of the information sought to be protected to the petition. This allows the Commission to examine the material and determine whether it is entitled to protection. Because KU has failed to comply with this provision of the regulation, its petition cannot be considered.

This Commission being otherwise sufficiently advised,

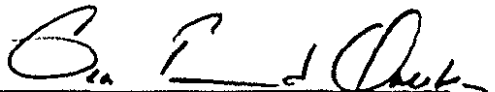
IT IS ORDERED that:

1. KU shall, within 20 days of the date of this Order, file its responses to Item 3 of the Commission's Order of February 25, 1992, the Attorney General's Data Request 6, the Kentucky Industrial Utility Customers' Data Requests 1 and 12, and the PROSCREEN database formats and input file commands relating to the PROSCREEN II studies requested by the Commission on March 13, 1992.

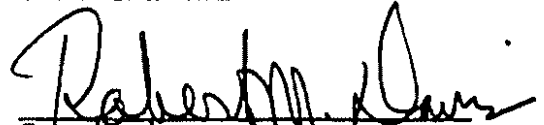
2. If KU desires to protect the information filed in response to these data requests as confidential, it may file a petition in accordance with the requirements of 807 KAR 5:001, Section 7.

Done at Frankfort, Kentucky, this 6th day of April, 1992.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director