

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF LOUISVILLE GAS AND)
ELECTRIC COMPANY FOR AN ORDER APPROVING) CASE NO. 89-374
AN AGREEMENT AND PLAN OF EXCHANGE AND)
TO CARRY OUT CERTAIN TRANSACTIONS IN)
CONNECTION THEREWITH)

O R D E R

This matter arising upon request of Louisville Gas and Electric Company ("LG&E"), filed March 18, 1994, pursuant to 807 KAR 5:001, Section 7, for confidential protection of the names of individual employees who transferred from LG&E to LG&E Energy Corp. during 1993 on the grounds that the information relates to details of the employees' private lives whose privacy interest in the information outweighs the public interest in the information, and it appearing to this Commission as follows:

In accordance with the Commission's Order of May 25, 1990, LG&E has filed certain information regarding its holding company, LG&E Energy Corp. and its affiliates. Included in the information are the names, years of service, salaries and job titles of employees who transferred from LG&E to LG&E Energy Corp. during 1993. LG&E seeks to protect only the names of those employees.

KRS 61.878(1)(a) exempts from disclosure "information of a personal nature where the public disclosure thereof would constitute a clearly unwarranted invasion of personal privacy." This provision is intended to protect from public disclosure any

information contained in public records that reveals the details of an individual's private life when the individual's privacy interest in the information outweighs the public interest in the information. Board of Education of Fayette County v. Lexington-Fayette Urban County Rights Commission, Ky. App., 625 S.W. 2nd 109, 111 (1981).


As a public utility, compensation paid by LG&E to its employees is subject to scrutiny not only by this Commission but also by its customers, who ultimately pay the expense of such compensation in the rates they are charged for service. Therefore, information on file with the Commission regarding the salaries paid generally within each employee classification should be available for customers to determine whether those salaries are reasonable. However, the right of each individual employee within a job classification to protect such information as private outweighs the public interest in the information. Thus, the salary paid to each individual within a classification is entitled to protection from public disclosure.

This Commission being otherwise sufficiently advised,

IT IS ORDERED that the names of the individual employees in the information filed by LG&E, which LG&E has petitioned be withheld from public disclosure, shall be held and retained by this Commission as confidential and shall not be open for public inspection.

Done at Frankfort, Kentucky, this 8th day of April, 1994.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director