

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

REQUEST FOR CONFIDENTIAL TREATMENT OF)
INFORMATION FILED WITH DELTA NATURAL)
GAS COMPANY, INCORPORATED'S SPECIAL) CASE NO. 94-028
TRANSPORTATION CONTRACT WITH ALCAN)
ROLLED PRODUCTS)

O R D E R

This matter arising upon request of Delta Natural Gas Company, Inc. ("Delta"), filed January 24, 1994, for confidential protection of its contract with Alcan Rolled Products Company ("Alcan") on the grounds that disclosure of the information is likely to cause Alcan competitive injury and it appearing to this Commission as follows:

Delta has recently entered into a special transportation contract with Alcan. Copies of the contract have been filed in this proceeding and Delta has requested they be protected as confidential.

The procedure for obtaining confidential protection of information filed with the Commission is provided in 807 KAR 5:001, Section 7. That regulation requires anyone requesting confidential protection to file a petition setting forth the grounds upon which it relies and attach copies of the information to be protected which identifies the confidential material. Delta has not complied with the requirements of the regulation and its request cannot be granted.

This Commission being otherwise sufficiently advised,

IT IS ORDERED that:

1. The request to protect as confidential the contract between Delta and Alcan be and is hereby denied.

2. The information sought to be protected shall be held and retained by this Commission as confidential and shall not be open for public inspection for a period of 20 days from the date of this Order to allow Delta to file a petition in accordance with the procedures set forth in 807 KAR 5:001, Section 7.

3. If at the expiration of the 20 day period Delta has not filed a petition in accordance with the regulation, the information sought to be protected shall be placed in the public record without further Orders of the Commission.

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

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:



Executive Director