## COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

ı	n	th	9	M	la:	H	er	٠ ٠	f٠	•

GLEN AND PATRICIA A. DAMRON	)
COMPLAINANTS V.	) ) ) CASE NO.
LOUISVILLE GAS AND ELECTRIC COMPANY	) 2013-00008
DEFENDANT	) }

## <u>ORDER</u>

On March 1, 2013, Louisville Gas and Electric Company ("LG&E") filed a petition for confidential protection, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(a), of information it provided in its Responses to Question Nos. 1 and 4 of Commission Staff's First Request for Information dated February 15, 2013.

In support of its petition, LG&E states that KRS 61.878(1)(a) exempts from disclosure certain information of a personal nature where public disclosure would constitute a clearly unwarranted invasion of personal privacy. It states that in its Responses to Question Nos. 1 and 4 of Commission Staff's data request, LG&E attached copies of Mr. Damron's utility bills and other billing and payment information. LG&E states that this information contains the customer's account and telephone numbers and merits confidential protection because LG&E believes that revealing this information in the public record could result in an unwarranted invasion of personal privacy. The request also indicates that in accordance with the provisions of 807 KAR 5:001 Section 13, LG&E "herewith files with the Commission one copy of the above-

discussed documents with the confidential information highlighted and ten (10) copies of its response with the confidential information redacted."

Having considered the motion and the materials at issue, the Commission finds that the information for which LG&E seeks confidential protection and which is contained in LG&E's Responses to Question Nos. 1 and 4 of Commission Staff's First Request for Information meets the criteria for confidential treatment and is exempted from public disclosure pursuant to KRS 61.878(1)(a) and 807 KAR 5:001, Section 13.

## IT IS THEREFORE ORDERED that:

- 1. LG&E's petition for confidential protection is hereby granted.
- 2. The redacted portions of LG&E's Responses to Question Nos. 1 and 4 of Commission Staff's First Request for Information shall not be placed in the public record or made available for public inspection for an indefinite time period.
- 3. Use of the materials in question in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).
- 4. If a non-party to this proceeding requests to inspect materials granted confidential treatment by this Order and the period during which the materials have been granted confidential treatment has not run, LG&E shall have 20 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 LG&E is unable to make such demonstration, the requested materials shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

<sup>&</sup>lt;sup>1</sup> Petition of Louisville Gas and Electric Company for Confidential Protection, paragraph 4, filed March 1, 2013.

5. The Commission shall not make the requested materials available for inspection 20 days following an Order finding that the material no longer qualifies for confidential treatment in order to allow LG&E to seek a remedy afforded by law.

By the Commission

**ENTERED** 

SEP 1 6 2013

KENTUCKY PUBLIC SERVICE COMMISSION

**ATTEST** 

Executive Director

Glen and Patricia A. Damron 3605 Ten Broeck Way Louisville, KENTUCKY 40241

Ed Staton
VP - State Regulation and Rates
Louisville Gas and Electric Company
220 W. Main Street
P. O. Box 32010
Louisville, KY 40202

Honorable Allyson K Sturgeon Senior Corporate Attorney LG&E and KU Energy LLC 220 West Main Street Louisville, KENTUCKY 40202