

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PURCHASED GAS ADJUSTMENT	)	CASE NO.
FILING OF LOUISVILLE	)	2016-00137
GAS AND ELECTRIC COMPANY	)	

ORDER

On March 31, 2016, Louisville Gas and Electric Company (“LG&E”) filed a petition (“Petition”), pursuant to 807 KAR 5:001, Section 13, requesting that certain materials contained in its Quarterly Gas Supply Clause application be afforded confidential protection for an indefinite period of time and not be placed in the public record subject to public inspection.

In support of its Petition, LG&E states that the information it is requesting to be held confidential pertains to its Gas Supply Clause. Specifically, LG&E requests confidential treatment of portions of its application, Exhibit B-1, pages 6 and 7, which contain information setting forth details of its total purchased gas costs for the period of November 2015 through January 2016. LG&E states that this material contains sensitive commercial information, the disclosure of which would injure LG&E’s ability to negotiate future gas supply contracts at advantageous prices and would unfairly advantage LG&E’s competitors for both gas supplies and retail gas load. LG&E states that the information it requests to keep confidential identifies LG&E’s natural gas suppliers and links those providers with specific gas volumes delivered and the costs thereof. LG&E requests confidentiality for the names of the suppliers only, not for the specific volumes or costs.

LG&E states that the information sought to be protected as confidential, if publicly disclosed, would damage LG&E's competitive position by allowing its competitors to know the unit price and overall cost of the gas LG&E is purchasing from each supplier. In addition, LG&E states that disclosure of this information would raise prices to LG&E, which would hurt its competitive position and harm its ratepayers by providing its competitors with information, which would enable future gas bidding to be manipulated to the competitors' advantage. LG&E states that the information is not known outside of LG&E and the relevant suppliers, and it is not disseminated within LG&E except to those employees with a legitimate business need to know and act upon the information.

Having carefully considered the Petition and the material at issue, the Commission finds that the designated material contained in LG&E's application, Exhibit B-1, pages 6 and 7, is generally recognized as confidential and proprietary which, if openly disclosed, could result in commercial harm to LG&E. It therefore, meets the criteria for confidential treatment and is exempted from public disclosure pursuant to KRS 61.878(1)(c) and 807 KAR 5:001, Section 13.

IT IS THEREFORE ORDERED that:

1. LG&E's Petition for confidential protection for designated material contained in its application, Exhibit B-1, pages 6 and 7, is granted.
2. The designated material set forth in LG&E's application, Exhibit B-1, pages 6 and 7, shall not be placed in the public record or made available for public inspection for an indefinite period of time, or until further Orders of the Commission.
3. Use of the designated material in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).

4. LG&E shall inform the Commission if the material in question becomes publicly available or no longer qualifies for confidential treatment.

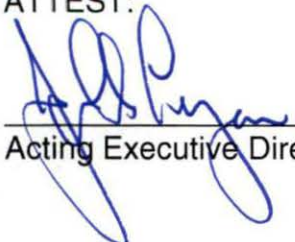
5. If a non-party to this proceeding requests to inspect material granted confidential treatment by this Order and the period during which the material has been granted confidential treatment has not expired, then LG&E shall have 20 days from receipt of written notice of the request to demonstrate that the material still falls within the exclusions from disclosure requirements established in KRS 61.878. If LG&E is unable to make such demonstration, the requested material shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

6. The Commission shall not make the requested material available for inspection for 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



ATTEST:

  
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Acting Executive Director

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