

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF SHELBY ENERGY)	CASE NO.
COOPERATIVE, INC. FOR AN INCREASE)	2016-00434
IN ITS RETAIL RATES)	

ORDER

This matter arises on a petition filed on February 14, 2017, by Shelby Energy Cooperative, Inc. (Shelby Energy), pursuant to 807 KAR 5:001, Section 13, requesting that designated materials filed with the Commission be afforded confidential protection for an indefinite period.

In support of its petition filed on February 14, 2017, Shelby Energy states that public disclosure of the designated materials contained in its response to Commission Staff's First Request for Information, Exhibits DD, EE, and FF, which include proprietary employee compensation information that is the property of a third party, could result in competitive injury to Shelby Energy. .

Having considered the petition and the materials at issue, the Commission finds that the designated materials described in Shelby Energy's February 14, 2017 petition meet the criteria for confidential treatment and are exempted from public disclosure pursuant to KRS 61.878(1)(c).

IT IS THEREFORE ORDERED that:

1. Shelby Energy's February 14, 2017 petition for confidential protection is granted.

2. The designated materials shall not be placed in the public record or made available for public inspection for an indefinite period, or until further Orders of this Commission.

3. Use of the designated materials in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).

4. Shelby Energy shall inform the Commission if the designated materials become publicly available or no longer qualify for confidential treatment.

5. If a non-party to this proceeding requests to inspect the designated materials granted confidential treatment by this Order and the period during which the materials have been granted confidential treatment has not expired, Shelby Energy shall have 30 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 Shelby Energy is unable to make such demonstration, the requested materials shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

6. The Commission shall not make the designated materials available for inspection for 30 days following an Order finding that the materials no longer qualify for confidential treatment in order to allow Shelby Energy to seek a remedy afforded by law.

By the Commission

ENTERED
JAN 25 2019
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Executive Director

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