

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF LOUISVILLE GAS	)	
AND ELECTRIC COMPANY FOR APPROVAL OF	)	CASE NO.
STATE WAIVER OF THE REASSESSMENT	)	2019-00222
INTERVAL REQUIRED BY 49 C.F.R. § 192.939	)	

ORDER

This matter arises on a petition filed on July 3, 2019, Louisville Gas and Electric Company (LG&E), pursuant to 807 KAR 5:001, Section 13, requesting that designated materials filed with the Commission be afforded confidential protection for an indefinite period.

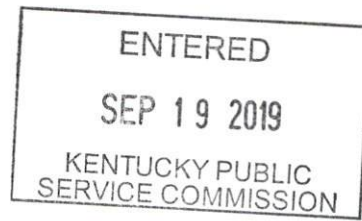
In support of its petition filed on July 3, 2019, LG&E states that public disclosure of the designated material contained in Attachment A to LG&E's application in this matter is prohibited by KRS 61.878(1)(m)(1)(f) because the material contains maps of LG&E's natural gas pipelines in High Consequence Areas and their disclosure could threaten public safety. LG&E further explains the information for which it seeks confidential treatment is not known outside of LG&E, except by regulators, is not broadly available within LG&E, and is generally recognized as confidential and proprietary information inside the energy industry.

Having considered the petition and the materials at issue, the Commission finds that the designated materials described in LG&E's July 3, 2019 petition meet the criteria for confidential treatment and are exempted from public disclosure pursuant to KRS 61.878(1)(m).

IT IS THEREFORE ORDERED that:

1. LG&E's July 3, 2019 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. LG&E 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, LG&E 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 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.
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 LG&E to seek a remedy afforded by law.

By the Commission



ATTEST:

  
Executive Director

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