

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF NORTHERN	)	
KENTUCKY WATER DISTRICT FOR	)	
APPROVAL OF ORDINARY EXTENTION OR	)	CASE NO.
THE ISSUANCE OF A CERTIFICATE OF	)	2020-00127
CONVENIENCE AND NECESSITY AND	)	
APPROVAL OF FINANCING FOR WATER	)	
MAIN REPLACEMENT	)	

ORDER

This matter arises on a petition filed on April 23, 2020, by Northern Kentucky Water District (Northern Kentucky Water), 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 April 23, 2020, Northern Kentucky Water states that public disclosure of the designated materials contained in its Preliminary Engineering Report and portions of the Bid Specifications included in Exhibit A of the application is exempted by statute as they contain a strategic analysis of the Northern Kentucky Water software and hardware specifications and related operational information about its SCADA system.

Northern Kentucky Water contends that the information contained in the specified documents provides detailed information about Northern Kentucky Water's technology system and the type and location of critical components of software and hardware used in the treatment and distribution of water to the public, and as such, the disclosure of

which could threaten the public safety generally and provide sensitive information relevant to the security against terroristic events.

Having considered the petition and the materials at issue, the Commission finds that the designated materials described in Northern Kentucky Water's April 23, 2020 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. Northern Kentucky Water's April 23, 2020 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. Northern Kentucky Water shall inform the Commission if the designated materials become publicly available or no longer qualify for confidential treatment.

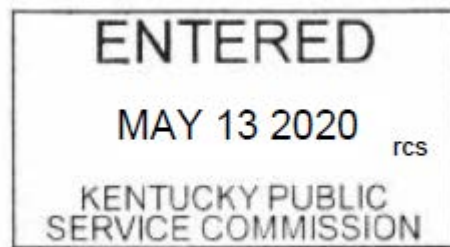
5. If a non-party to this proceeding requests to inspect the designated materials granted confidential treatment by this Order and the period during which the materials have been granted confidential treatment has not expired, Northern Kentucky Water shall have 30 days from receipt of written notice of the request to demonstrate that the materials still fall within the exclusions from disclosure requirements established in KRS 61.878. If Northern Kentucky Water 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 Northern Kentucky Water to seek a remedy afforded by law.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

By the Commission



ATTEST:

A handwritten signature in blue ink, consisting of stylized initials and a surname, positioned above a horizontal line.

Executive Director

\*Alex Mattingly  
Northern Kentucky Water District  
2835 Crescent Springs Road  
P. O. Box 18640  
Erlanger, KY 41018-0640

\*Honorable John N Hughes  
Attorney at Law  
124 West Todd Street  
Frankfort, KENTUCKY 40601

\*Lindsey Rehtin  
Northern Kentucky Water District  
2835 Crescent Springs Road  
P. O. Box 18640  
Erlanger, KY 41018-0640

\*Northern Kentucky Water District  
2835 Crescent Springs Road  
P. O. Box 18640  
Erlanger, KY 41018-0640