

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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| ELECTRONIC PURCHASED GAS ADJUSTMENT |) | CASE NO. |
| FILING OF DELTA NATURAL GAS COMPANY, |) | 2023-00324 |
| INC. |) | |

ORDER

On September 28, 2023, Delta Natural Gas Company, Inc. (Delta) filed a petition, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878, requesting that the Commission grant confidential treatment for an indefinite period for the identity of its gas suppliers contained in its Quarterly Gas Cost Recovery Report (Report) and invoices that contain supplier information, prices, interconnections, and volumes.

In support of its petition, Delta argued that public disclosure of this information would result in competitive harm by adversely impacting Delta's ability to negotiate future gas supply contracts at favorable prices, and therefore would impair Delta's ability to minimize the price of natural gas paid by Delta's customers.

KRS 61.878(1)(c)(1), exempts from open records laws information generally recognized as confidential or proprietary that if publicly disclosed would permit an unfair commercial advantage to competitors of the entity that disclosed the records.

Having considered the petition and the material at issue, the Commission finds that the Report as well as the invoices are generally recognized as confidential or proprietary; as further public disclosure of this information would result in competitive harm by adversely impacting Delta's ability to negotiate future gas supply contracts at favorable

prices, and therefore would impair Delta's ability to minimize the price of natural gas paid by Delta's customers.

For this reason, the Commission further finds the designated material in the petition meets the criteria for confidential treatment and should be exempted from public disclosure pursuant to 807 KAR 5:001, Section 13, and KRS 61.878 (1)(c)(1).

IT IS THEREFORE ORDERED that:

1. Delta's petition for confidential treatment is granted.
2. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for an indefinite period or until further order of this Commission.
3. Use of the designated material granted confidential treatment by this Order in any Commission proceeding shall comply with 807 KAR 5:001, Section 13(9).
4. Delta shall inform the Commission if the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment.
5. If a nonparty to this proceeding requests to inspect the material granted confidential treatment by this Order and the period during which the material has been granted confidential treatment has not expired, Delta shall have 30 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 Delta 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 30 days from the date of service of an Order finding that the material no longer qualifies for confidential treatment in order to allow Delta to seek a remedy afforded by law.

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PUBLIC SERVICE COMMISSION



Chairman



Vice Chairman



Commissioner

ENTERED
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KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



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