

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

|                                      |   |            |
|--------------------------------------|---|------------|
| APPLICATION OF KENTUCKY UTILITIES    | ) |            |
| COMPANY FOR CERTIFICATES OF PUBLIC   | ) | CASE NO.   |
| CONVENIENCE AND NECESSITY AND        | ) | 2011-00161 |
| APPROVAL OF ITS 2011 COMPLIANCE PLAN | ) |            |
| FOR RECOVERY BY ENVIRONMENTAL        | ) |            |
| SURCHARGE                            | ) |            |

O R D E R

On October 10, 2011, Drew Foley, Janet Overman, Gregg Wagner, Rick Clewett, Raymond Barry, Sierra Club, and Natural Resources Defense Council (collectively, "Environmental Intervenors") filed a joint motion to compel disclosure of certain information contained in Kentucky Utilities Company's ("KU") September 15, 2011 responses to the Environmental Intervenors' supplemental discovery request. The information sought to be disclosed concerns natural gas price forecast data. The joint motion stated that KU's confidential version of its "2011 Air Compliance Plan Supplemental Analyses" redacted the following information:

1. The compliance plan's natural gas forecasts from 2014 onward;
2. The 2011 PIRA Energy Group ("PIRA") forecast for high sulfur coal and natural gas;
3. The 2011 Wood Mac/PIRA natural gas prices from 2015 onward; and
4. The 2011 Cambridge Energy Research Associates ("CERA") forecast for high sulfur coal and natural gas.

The Environmental Intervenors further state that KU's September 15, 2011 responses were accompanied by a petition seeking confidential protection of the natural gas price forecast information but that the petition later indicated that KU did not object to limited disclosure of such information if such disclosure were to occur pursuant to the terms of an acceptable protective agreement to intervenors with legitimate interests in reviewing the confidential information.

Environmental Intervenors point out that they have entered into a nondisclosure agreement with KU and that KU's concerns regarding any competitive disadvantage in negotiating fuel contracts in the future have been addressed by that agreement.

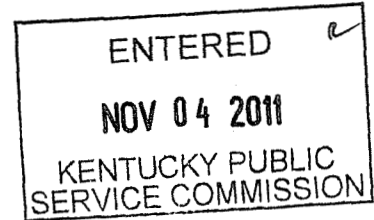
KU and its sister company, Louisville Gas and Electric Company, filed a joint response objecting to the motion on October 14, 2011. The response states that, in its August 5, 2011 responses to the Environmental Intervenors initial request for information, KU indicated that the fuel forecast information was redacted due to licensing agreements with PIRA and CERA, both of whom had refused to grant KU the right to disclose the fuel forecast information. However, KU states that it asked PIRA and CERA to reconsider their positions concerning the disclosure of their fuel price forecasts and that PIRA and CERA have agreed to permit KU to produce the subject information. Copies of the fuel price forecasts were filed along with a petition for confidentiality on October 14, 2011.

Having reviewed the motion and being otherwise sufficiently advised, the Commission finds the information sought to be compelled by the Environmental Intervenors has been produced by KU and made available to the parties to this proceeding. Therefore, the Commission finds that the Environmental Intervenors' joint

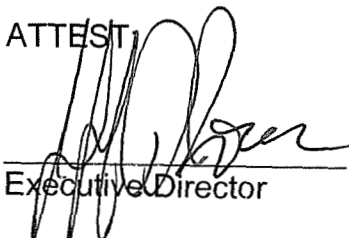
motion to compel the disclosure of certain natural gas price forecast information should be denied as moot.

IT IS THEREFORE ORDERED that the Environmental Intervenors' joint motion to compel is denied as moot.

By the Commission



ATTEST

  
Executive Director

Lonnie Bellar  
Vice President, State Regulation & Rates  
Kentucky Utilities Company  
220 W. Main Street  
P. O. Box 32010  
Louisville, KY 40232-2010

Honorable Dennis G Howard II  
Assistant Attorney General  
Office of the Attorney General Utility & Rate  
1024 Capital Center Drive  
Suite 200  
Frankfort, KENTUCKY 40601-8204

Honorable Leslye M Bowman  
Director of Litigation  
Lexington-Fayette Urban County Government  
Department Of Law  
200 East Main Street  
Lexington, KENTUCKY 40507

Honorable Michael L Kurtz  
Attorney at Law  
Boehm, Kurtz & Lowry  
36 East Seventh Street  
Suite 1510  
Cincinnati, OHIO 45202

David Brown  
Stites & Harbison, PLLC  
1800 Providian Center  
400 West Market Street  
Louisville, KENTUCKY 40202

Honorable Kendrick R Riggs  
Attorney at Law  
Stoll Keenon Ogden, PLLC  
2000 PNC Plaza  
500 W Jefferson Street  
Louisville, KENTUCKY 40202-2828

Joe F Childers  
Getty & Childers  
1900 Lexington Financial Center  
250 West Main Street  
Lexington, KENTUCKY 40507

Honorable Iris G Skidmore  
415 W. Main Street  
Suite 2  
Frankfort, KENTUCKY 40601

Robert M Conroy  
Director, Rates  
Kentucky Utilities Company  
220 W. Main Street  
P. O. Box 32010  
Louisville, KY 40202

Allyson K Sturgeon  
Senior Corporate Attorney  
LG&E and KU Services Company  
220 West Main Street  
Louisville, KENTUCKY 40202

Shannon Fisk  
Senior Attorney  
Natural Resources Defense Council  
2 N. Riverside Plaza, Suite 2250  
Chicago, ILLINOIS 60660

Edward George Zuger, III  
Zuger Law Office PLLC  
P.O. Box 728  
Corbin, KENTUCKY 40702

Kristin Henry  
Staff Attorney  
Sierra Club  
85 Second Street  
San Francisco, CALIFORNIA 94105