

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KENTUCKY UTILITIES)	
COMPANY FOR AN ADJUSTMENT OF ITS)	CASE NO. 2014-00371
ELECTRIC RATES)	

ORDER REGARDING REQUEST FOR CONFIDENTIAL TREATMENT

On February 20, 2015, Kentucky Utilities Company (“Movant”) moved, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1), that certain materials filed with the Commission be afforded confidential treatment and not be placed in the public record subject to public inspection.

In support of its motion, Movant states that the information it is requesting to be held confidential is contained in Items 12 and 29 to its response to the Attorney General’s Supplemental Requests for Information (“AG’s Supplemental Request”). The information in Item 12 is more particularly described as relating to settlements resulting from legal claims against Movant. The information in Item 29 is more particularly described as pertaining to a transmission study. In a supplemental letter, Movant stated that the transmission study will never be publicly disclosed and should be kept confidential indefinitely.¹

Having carefully considered the motion and the materials at issue, the Commission finds that:

¹ Letter from Allyson Sturgeon, Senior Corporate Counsel, LG&E and KU Energy LLC, to Jeff Derouen, Executive Director, Kentucky Public Service Commission (Nov. 12, 2015).

1. The materials for which Movant seeks confidential treatment meet the criteria for confidential treatment and are exempted from public disclosure pursuant to KRS 61.878(1)(a) and 807 KAR 5:001, Section 13. Movant has requested confidential protection for information in Item 12, which pertains to its settlement practices. Movant's request includes a request to keep confidential case numbers, names and natures of claims. Since Movant has already publicly disclosed the amounts for which it has settled each case, disclosure now of the case numbers, names, and natures of the claims would permit an individual to piece together sufficient information as to be able to match the settlement amounts to each specific case. Accordingly, given the manner in which the settlement information has already been presented, the remaining settlement information is entitled to confidential protection.

2. The materials in Movant's response to the AG's Supplemental Request, Items 12 and 29, for which Movant seeks confidential treatment meet the criteria for confidential protection and are exempted from public disclosure pursuant to KRS 61.878(1) and 807 KAR 5:001, Section 13.

3. Pursuant to KRS 61.878, the materials for which Movant requests confidential protection shall not be placed in the public record or made available for public inspection for an indefinite period of time, or until further Order of the Commission.

IT IS THEREFORE ORDERED that:

1. Movant's motion for confidential protection of its responses to the AG's Supplemental Request, Item 29 and portions of Item 12, are granted.

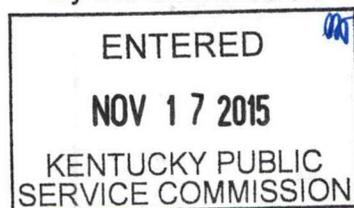
2. Pursuant to KRS 61.878, the information for which Movant requests confidential protection shall not be placed in the public record or made available for public inspection for an indefinite period of time, or until further Order of the Commission.

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

4. Movant shall inform the Commission if the materials in question become publicly available or no longer qualify for confidential treatment.

5. If a non-party to this proceeding requests to inspect materials granted confidential treatment by this Order, the Movant shall have 20 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 Movant is unable to make such demonstration, the requested materials shall be made available for inspection.

By the Commission



ATTEST:


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