

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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COMMISSION

In the Matter of:

The Joint Application of Kentucky Frontier Gas, LLC)
and Public Gas Company for approval of transfer)
and acquisition of assets and financing) 2015-00299
)

PETITION FOR CONFIDENTIALITY

Kentucky Frontier Gas, LLC (Frontier) petitions the Commission ("Commission"), pursuant to 807 KAR 5:001, Section 13, and all other applicable law, for confidential treatment of certain information submitted to the Commission as part of its Application in this proceeding. The information previously submitted consists of an electronic map of the Frontier gas distribution system. The disk containing the electronic map was included as part of exhibit 10 to the application.

KRS Chapter 61 requires information filed with the Commission to be available for public inspection unless specifically exempted by statute. Exemptions from public disclosure of the information relevant to this petition are provided in KRS 61.878(1)(m). Under the Kentucky Open Records Act, the Commission is entitled to withhold from public disclosure information disclosed to it to the extent that open disclosure would "have a reasonable likelihood of threatening the public safety by exposing a vulnerability in preventing, protecting against, mitigating, or responding to a terrorist act and limited to: . . . ,

(f) infrastructure records that expose a vulnerability referred to in this subparagraph through the disclosure of the location, configuration, or security of critical systems, including public utility critical systems. These critical systems shall include but not be limited to information technology, communications, electrical, fire suppression, ventilation, water, wastewater, sewage, and **gas systems** and;

(g) The following records when their disclosure will expose a vulnerability referred to in this subparagraph: detailed drawings, schematics, **maps**, or specifications of structural elements, floor plans, and operating, utility, or security systems of any building or facility owned, occupied, leased, or maintained by a public agency."

This Commission has recognized that maps "are infrastructure records that disclose the location, configuration, or security of public utility systems" and therefore, should be treated as confidential. See Case No. 2014-00166 *In the Matter of 2104 Integrated Resource Plan of Big Rivers Electric Corporation*, KY PSC Order, p. 7 (August 26, 2014).

The information contained in the specified document may provide detailed information about Frontier's distributions system and the location of critical components; as such, the disclosure of which could threaten the public safety generally and provide sensitive information relevant to the security against terroristic events. Frontier petitions the Commission to classify as confidential and protect from public disclosure the entire electronic map provided in exhibit 10.

The information for which the Company is seeking confidential treatment is not known outside of the Company, is not disseminated within the Company except to those employees with a legitimate business need to know and act upon the information, and is

generally recognized as confidential and proprietary information in the energy industry. If the Commission disagrees with this request for confidential protection, Frontier requests that it hold an evidentiary hearing (a) to protect the Company's due process rights and (b) to supply the Commission with a complete record to enable it to reach a decision with regard to this matter. Utility Regulatory Commission v. Kentucky Water Service Company, Inc., Ky. App., 642 S.W.2d 591, 592-94 (1982).

Frontier requests that the information referenced herein be kept confidential for an indefinite period.

For these reasons, Frontier petitions the Commission to treat as confidential, indefinitely, the information referenced in this petition in its entirety


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