

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF WATER SERVICE)	
CORPORATION OF KENTUCKY FOR A)	CASE NO.
GENERAL ADJUSTMENT IN EXISTING RATES)	2015-00382

ORDER REGARDING REQUEST FOR CONFIDENTIAL TREATMENT

On January 19, 2016, Water Service Corporation of Kentucky ("WSCK") moved pursuant to KRS 61.878(1)(c) and 807 KAR 5:001, Section 13, 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 petition filed January 19, 2016, WSCK states that the information it is requesting to be held confidential is contained in its response to Commission Staff's Second Request for Information ("Staff's Second Request"), Item 38. The information is more particularly described as two credit agreements containing terms and conditions under which Movant's corporate parent, Utilities, Inc. ("UI"), obtains financing, and contains specific interest rates and loan terms on which UI can receive financing. WSCK states that the information contains materials, that if publicly disclosed, would likely result in competitive injury to the WSCK and UI; therefore, WSCK claims the materials are generally recognized as confidential and exempt from public disclosure pursuant to KRS 61.878(1)(c) and 807 KAR 5:001, Section 13.

Having carefully considered the Petition Requesting Confidential Treatment and the materials at issue, the Commission finds that the materials contained in WSCK's

response to Staff's Second Request, Item 38, meet the criteria for confidential protection as set forth in KRS 61.878(1)(c) and should not be placed in the public record for an indefinite period of time, or until further Orders of this Commission.

IT IS THEREFORE ORDERED that:

1. WSCK's petition for confidential protection is hereby granted.
2. The materials contained in WSCK's response to Staff's Second Request, Item 38, meet the criteria for confidential protection as set forth in KRS 61.878(1)(c) and are hereby granted confidential protection. The materials granted confidential protection will not be placed in the public record or made available for public inspection for an indefinite period of time, or until further Orders of this 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. WSCK shall inform the Commission if the materials granted confidential protection 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 and the period during which the materials have been granted confidential treatment has not run, WSCK 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 WSCK 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 materials available for inspection for 20 days following an Order finding that the materials no longer qualify for confidential treatment in order to allow WSCK to seek a remedy afforded by law.

By the Commission



ATTEST:


Acting Executive Director

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