

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PURCHASED GAS ADJUSTMENT FILING) CASE NO. 2016-00200
OF VALLEY GAS, INC.)

ORDER

On July 19, 2016, Valley Gas, Inc., ("Valley Gas") filed a petition ("Petition") pursuant to 807 KAR 5:001, Section 13, that certain materials filed with the Commission be afforded confidential protection for an indefinite period and not be placed in the public record subject to public inspection.

In support of its Petition, Valley Gas states that the information it is requesting to be held confidential is contained in its response to Commission Staff's First Request for Information to Valley Gas ("Staff's First Request"), Items 2 and 3. Specifically, Valley Gas requests confidential treatment of Exhibit A to its response, which Valley Gas states contains both historical and future fixed pricing on gas. Valley Gas also requests confidential treatment of Exhibit B to its response and the accompanying charts, which Valley Gas states include both the price of gas and the volume purchased. Valley Gas states that the information for which it seeks confidential protection is sensitive business information, the disclosure of which would harm Valley Gas and its customers and would provide an unfair advantage to Valley Gas competitors and place Valley Gas at a competitive disadvantage. Finally, Valley Gas states that the Commission has granted confidential protection to this type of information of other regulated natural gas companies within the Commonwealth and that this information would not normally be

disseminated within Valley Gas except to those employees with a legitimate business need to know and act upon the information.

Having carefully considered the Petition and the materials at issue, the Commission finds that the designated material in Valley Gas's response to Staff's First Request, Item 2, contained in Exhibit A of its response, is generally recognized as confidential or proprietary. Open disclosure of the material, could result in commercial harm to Valley Gas. The material therefore meets the criteria for confidential treatment and is exempted from public disclosure pursuant to KRS 61.878(1) and 807 KAR 5:001, Section 13. The Commission also finds that certain information contained in Exhibit B of Valley Gas's response to Staff's First Request, Item 3, containing invoices from Constellation, is generally recognized as confidential or proprietary, and open disclosure of the material could result in commercial harm to Valley Gas. The material therefore meets the criteria for confidential treatment and is exempted from public disclosure pursuant to KRS 61.878(1) and 807 KAR 5:001, Section 13. Finally, the Commission finds that the charts included on page 1 of 2 of Valley Gas's response to Staff's First Request, Item 3, Exhibit B, contain the Mcf sales and purchase volumes only for Valley Gas. The charts, although drawn from Constellation invoices, contain no pricing information and are part of the information provided in Valley Gas's Purchase Gas Adjustment filings in the Actual Adjustment calculation. This information, therefore, is not entitled to confidential protection, pursuant to KRS 61.878(1) and 807 KAR 5:001, Section 13.

IT IS THEREFORE ORDERED that:

1. Valley Gas's Petition for confidential protection for designated material contained in Exhibit A of its response to Staff's First Request, Item 2, seeking all contracts related to gas supply, storage, and transportation between Valley Gas and Constellation, is hereby granted.

2. Valley Gas's Petition for confidential protection for certain designated material contained in Exhibit B of its response to Staff's First Request, Item 3, seeking monthly invoices from Constellation, is hereby granted.

3. Valley Gas's Petition for confidential protection for the information contained in each of the charts found on page 1 of 2 in Exhibit B of its response to Staff's First Request, Item 3, is hereby denied.

4. The designated material contained in Exhibit A of Valley Gas's response to Staff's First Request, Item 2, and certain designated material contained in Exhibit B of its response to Staff's First Request, Item 3, for which confidential treatment has been granted, shall 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.

5. Use of the designated material contained in Exhibit A of Valley Gas's response to Staff's First Request, Item 2, and certain designated material contained in Exhibit B of its response to Staff's First Request, Item 3, for which confidential treatment has been granted, in any Commission proceeding shall comply with 807 KAR 5:001, Section 13(9).

6. Valley Gas shall inform the Commission if the designated material contained in Exhibit A of Valley Gas's response to Staff's First Request, Item 2, and

certain designated material contained in Exhibit B of its response to Staff's First Request, Item 3, for which confidential treatment has been granted, becomes publicly available or no longer qualifies for confidential treatment.

7. If a non-party to this proceeding requests to inspect material granted confidential treatment by this Order, and the period during which the material has been granted confidential treatment has not expired, then Valley Gas shall have 20 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 Valley Gas is unable to make such demonstration, the requested material shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

8. The Commission shall not make the designated material contained in Exhibit A of its response to Staff's First Request, Item 2, and certain designated material contained in Exhibit B of its response to Staff's First Request, Item 3, for which confidential protection has been granted, available for inspection for 20 days following an Order finding that the material no longer qualifies for confidential treatment in order to allow Valley Gas to seek a remedy afforded by law.

9. Within seven days of the date of this Order, Valley Gas shall file a revised version of Exhibit B of its response to Staff's First Request, Item 3, for which confidential protection has been denied, reflecting as unredacted the information that has been denied confidential protection.

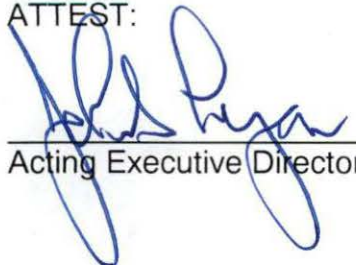
10. The materials for which Valley Gas's request for confidential protection has been denied shall neither be placed in the public record nor made available for

inspection for 20 days from the date of this Order in order to allow Valley Gas to seek a remedy afforded by law.

By the Commission

ENTERED
JUL 27 2017
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



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