

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

KENERGY CORP.)	
_____)	
ALLEGED FAILURE TO COMPLY)	CASE NO.
WITH KRS 278.042)	2016-00324
)	

ORDER

This matter arises on the Commission's own motion. On October 18, 2016, the Commission issued an information request in this matter. Item 4 of the information request sought the following information: "Provide the date that Rhyan Dickerson returned to work full time after the October 7, 2014 accident." In its October 28, 2016, Response to the information request, Kenergy provided said information. In addition to providing the requested information in its answer to Item 4, Kenergy filed its employee's medical record as Exhibit C to its Response ("Exhibit C"). Exhibit C contains unredacted confidential personal information and individually identifiable health information.

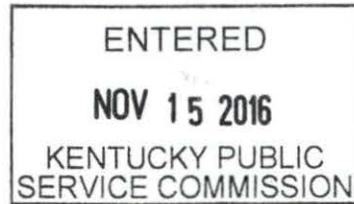
The Commission takes note that Kenergy violated 807 KAR 5:001, Section 4(10), by filing unredacted confidential personal information and medical information. Further, because there is no showing that the employee consented to the disclosure of protected information, there may be additional violations of federal and state law.

The Commission finds that the information contained in Exhibit C does not pertain to the narrow scope of the information requested in Item 4, and thus is not responsive. The Commission further finds that Exhibit C to Kenergy's Response should

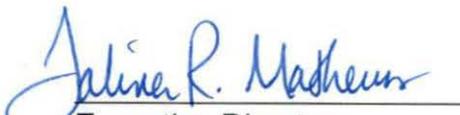
be removed from the case record and returned to Kenergy due to the sensitive, confidential personal information contained therein.

IT IS THEREFORE ORDERED that Exhibit C to Kenergy's Response filed October 28, 2016, shall be removed from the case record and returned to Kenergy.

By the Commission



ATTEST:


Executive Director

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