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PUBLIC SERVICE
COMMISSION

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF FARMERS)	
RURAL ELECTRIC COOPERATIVE)	CASE NO.
CORPORATION FOR AN INCREASE IN)	2016-00365
RETAIL RATES)	

MOTION FOR CONFIDENTIAL TREATMENT

Comes now Farmers Rural Electric Cooperative Corporation ("Farmers RECC"), by and through counsel, pursuant to KRS 61.878, 807 KAR 5:001, Section 13 and other applicable law, and respectfully moves the Kentucky Public Service Commission ("Commission") to afford confidential treatment to a portion of Farmers RECC's Responses to Commission Staff's Fourth Request for Information. In support of its request, Farmers RECC states as follows:

1. On November 15, 2016, Farmers RECC tendered to the Commission an Application for the adjustment of its rates. On March 17, 2017, Commission Staff propounded its Fourth Request for Information upon Farmers RECC. Request No. 2a. of Commission Staff's Fourth Request for Information states as follows:

2. In the narrative response to the data request, Farmers states, "Other amounts paid (Column F, Other Compensation) and reported on employees' W-2 include miscellaneous earnings such as the taxable amounts of the fringe benefits for use of company vehicle and group term life insurance paid over \$50,000." Provide the number of employees with life insurance with over \$50,000 of coverage, and the total cost of the life insurance above the \$50,000 coverage for all such employees, and the amount, if any, paid by the employee.

a. Provide the level of life insurance coverage for each employee.

2. Contemporaneous with the filing of this Motion, Farmers RECC is tendering documentation responsive to Commission Staff's Request No. 2a (the "Confidential Information"). The Confidential Information is proprietary information that is retained by Farmers RECC on a "need-to-know" basis. The Confidential Information is distributed within Farmers RECC only to the Chief Executive Officer, Senior Management and the Board, who must have access for business reasons, and it is generally recognized as confidential and proprietary in the energy industry and in business generally.

3. The Kentucky Open Records Act and applicable precedent exempts the Confidential Information from disclosure. *See* KRS 61.878(1)(a); KRS 61.878(1)(c)(1); *Zink v. Department of Workers Claims, Labor Cabinet*, 902 S.W.2d 825 (Ky. App. 1994); *Hoy v. Kentucky Industrial Revitalization Authority*, 907 S.W.2d 766, 768 (Ky. 1995). The Confidential Information includes information regarding job titles and information regarding the amount equal to two times the employee's annual salary. Disclosure of this information would make it very easy for someone to determine who receives what compensation based on the job title. Salary and benefit information that pertains to individual employees is personal and private information and should not be in the public realm. Additionally, public disclosure of these sensitive documents would unnecessarily provide interested parties and Farmers RECC's competitors with access to exclusive information regarding employee compensation and benefits. By knowing what Farmers RECC compensates each of its employees, it would be very easy for other utilities to attempt to poach Farmers RECC's workforce and management. Such public disclosure could unfairly harm Farmers RECC's competitive position in the marketplace for utility management and a skilled workforce, to the detriment of Farmers RECC and its members. For these reasons, the Confidential

Information satisfies both the statutory and common law standards for affording confidential treatment.

4. In accordance with the provisions of 807 KAR 5:001, Farmers RECC is filing, in paper medium only and under seal with the Confidential Information denoted, one (1) unredacted copy of its Response to Request No. 2a of Commission Staff's Fourth Request for Information. Farmers RECC is also providing a paper copy of the information with the Confidential Information redacted.

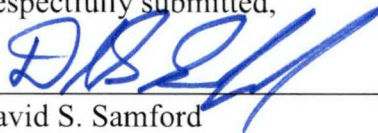
5. In accordance with the provisions of 807 KAR 5:001, Section 13(2), Farmers RECC respectfully requests that the Confidential Information be withheld from public disclosure indefinitely.

6. If, and to the extent, the Confidential Information becomes publicly available or otherwise no longer warrants confidential treatment, Farmers RECC will notify the Commission and have its confidential status removed, pursuant to 807 KAR 5:001 Section 13(10).

WHEREFORE, on the basis of the foregoing, Farmers RECC respectfully requests that the Commission classify and protect as confidential the specific Confidential Information described herein indefinitely.

Dated this 24th day of March, 2017.

Respectfully submitted,



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