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COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

PUBLIC SERVICE  
COMMISSION

In the Matter of Adjustment of Rates )  
of Shelby Energy Cooperative, Inc. )

Case No. 2016-00434

**THIRD MOTION FOR CONFIDENTIAL  
TREATMENT OF SPECIFIED MATERIALS**

Pursuant to 807 KAR 5:001, Section 13 and KRS 61.878, Shelby Energy Cooperative, Inc. (“Shelby Energy”) respectfully moves the Kentucky Public Service Commission (the “Commission”) to designate as confidential material portions of Shelby Energy’s Response to the Commission Staff’s Second Request for Information. The specific information which Shelby Energy is requesting be afforded confidential treatment are the answers to Question 28, part g, and Question 29, parts a. through n., which are being submitted on a USB drive labeled “A”. (hereinafter “Confidential Information”).

In support of this motion, Shelby Energy states that the Confidential Information pertains to wages, salaries and benefits of employees and, as such, constitutes information of a personal nature where the public disclosure thereof would constitute a clear and unwarranted invasion of personal privacy.

Additionally, information relating to the wages, salaries and benefits of employees would unnecessarily provide interested parties and Shelby Energy’s competitors with access to information regarding employee compensation and benefits. If competing utilities know what Shelby Energy pays to its employees, including the benefits afforded to employees, it will be easy for those competing utilities to attempt to hire away Shelby Energy’s employees and management. Such public disclosure would unfairly harm Shelby Energy’s competitive position in the market place for utility management and a skilled utility workforce, all to the detriment of Shelby Energy and its members.

The Commission has previously recognized the confidential nature of this type of information in a prior proceeding, namely *In the Matter of Application of Water Service*

*Corporation of Kentucky for a General Adjustment in Existing Rates, Order Regarding Request for Confidential Treatment* (entered April 5, 2016), Case No. 2015-00382.

The time period for these materials to be treated as confidential should be indefinitely.

WHEREFORE, Shelby Energy respectfully requests that the responses to Question 28, part g, and Question 29, parts a. through n., be declared by the Commission as confidential and that such treatment continue indefinitely. If this information becomes publicly available or otherwise no longer warrants confidential treatment, Shelby Energy will notify the Commission pursuant to 807 KAR 5:001, Section 13(10).

Respectfully submitted,

MATHIS, RIGGS, PRATHER & RATLIFF, P.S.C.

By: Donald T. Prather  
Donald T. Prather  
500 Main Street, Suite 5  
Shelbyville, Kentucky 40065  
Phone: (502) 633-5220  
Fax: (502) 633-0667

*By Paulan McClain*