



On November 22, 2017, LG&E filed a petition seeking confidential treatment of a second map, which is attached to a contract between LG&E and Southern Pipeline (“Southern Pipeline Contract”) that was provided with LG&E’s response to Commission Staff’s post-hearing request for information, Item 3. In support of its petition, LG&E states that this map is also of its Ballardsville transmission line and that it provides information about one of the company’s gas pipeline systems. LG&E asserts that because disclosure of this map could threaten public safety generally, the map is exempt from disclosure pursuant to KRS 61.878(1)(m)(1)(f) and (1)(g). LG&E states that the information for which it seeks confidential treatment is not known outside of LG&E, except by regulators, is not broadly available within the company, and is generally recognized as confidential and proprietary in the energy industry.

In further support of its November 22, 2017 petition, LG&E states that section 10 of the Southern Pipeline Contract includes sensitive pricing information for the work to be performed for LG&E by Southern Pipeline. LG&E asserts that disclosure of the pricing information in section 10 could hinder LG&E’s ability to receive the best proposals and procure the best contract terms in future negotiations for similar service by providing potential vendors the maximum price LG&E would be willing to pay, thereby reducing, if not eliminating, vendors’ incentive to provide their most competitive bids. LG&E further asserts that because disclosure of the pricing information in section 10 of the Southern Pipeline Contract would diminish LG&E’s ability to contract for the most favorable possible terms and thereby hurt both LG&E and its ratepayers, the information is exempt from disclosure pursuant to KRS 61.878(1)(c).

Having considered the petitions and the materials at issue, the Commission finds that:

1. The map of the Ballardsville gas transmission pipeline system provided by LG&E as an attachment to its response to Commission Staff's May 18, 2017 initial request for information, Item 1.a., contains critical infrastructure information and is exempt from public disclosure pursuant to KRS 61.878(1)(m)(1)(f) and (1)(g).

2. The map of the Ballardsville gas transmission pipeline system that is attached to the Southern Pipeline Contract provided with LG&E's response to Commission Staff's post-hearing request for information, Item 3, contains critical infrastructure information and is exempt from public disclosure pursuant to KRS 61.878(1)(m)(1)(f) and (1)(g).

3. The pricing information contained in section 10 of the Southern Pipeline Contract provided with LG&E's response to Commission Staff's post-hearing request for information, Item 3, is generally recognized as confidential or proprietary information that, if openly disclosed could permit an unfair commercial advantage, and is thus exempt from disclosure pursuant to KRS 61.878(1)(c).

IT IS THEREFORE ORDERED that:

1. LG&E's petitions for confidential treatment of the maps of its Ballardsville gas transmission pipeline system are granted.

2. LG&E's petition for confidential treatment of the pricing information in section 10 of the Southern Pipeline Contract is granted.

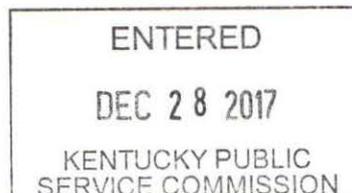
3. Use of the materials in question in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).

4. LG&E shall inform the Commission if the materials in question 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, then LG&E 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 LG&E 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 requested materials available for inspection for 20 days following an Order finding that the materials no longer qualify for confidential treatment in order to allow LG&E to seek a remedy afforded by law.

By the Commission



ATTEST:

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