

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC EXAMINATION OF THE	)	
APPLICATION OF THE FUEL ADJUSTMENT	)	
CLAUSE OF KENTUCKY UTILITIES COMPANY	)	CASE NO.
FROM NOVEMBER 1, 2017 THROUGH	)	2018-00218
APRIL 30, 2018	)	

ORDER

On August 24, 2018, Kentucky Utilities Company (KU) filed a petition pursuant to KRS 61.878 and 807 KAR 5:001, Section 13(2), requesting that the Commission grant confidential protection to the identified portions of the Response to Item 4 (Response 4) of the Commission's Requests for Information contained in an Appendix to the Commission's Order dated August 10, 2018. Specifically, KU seeks confidential treatment for coal bid analysis information in Response 4.

KU asserts that disclosure of the information in Response 4 could be detrimental to KU's customers and result in higher prices by revealing the business model the company uses for evaluating bids for coal supply. KU requests that this information remain confidential for five years.

Having considered the petition and the material at issue, the Commission finds that the designated material contained in Response 4 is generally recognized as confidential or proprietary, and therefore meets the criteria for confidential treatment and is exempted from public disclosure pursuant to KRS 61.878(1)(c)(1) and 807 KAR 5:001, Section 13.

IT IS THEREFORE ORDERED that:

1. KU's petition for confidential protection for the identified portions of Response 4 is granted

2. The identified information shall not be placed in the public record or made available for public inspection for a period of five years or until further Order of this Commission.

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

4. KU shall inform the Commission if the material in question becomes publicly available or no longer qualifies for confidential treatment.

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

6. The Commission shall not make the material available for inspection for 20 days following an Order finding that the material no longer qualifies for confidential protection in order to allow KU to seek a remedy afforded by law.

By the Commission

ENTERED  
OCT 16 2018  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:

*For [Signature]*  
Executive Director

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