

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC PURCHASED GAS)	CASE NO.
ADJUSTMENT FILING OF DELTA NATURAL)	2021-00380
GAS COMPANY, INC.)	

ORDER

On September 24, 2021, Delta Natural Gas Company, Inc. (Delta) filed a petition, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878, requesting that the Commission grant confidential treatment for an indefinite period for the identity of the gas suppliers listed in Delta's September 24, 2021 filing.¹

In support of its petition, Delta argues that this information is generally recognized as confidential. That public release of this information would harm Delta's ability to fairly negotiate over price and cost of fuel. That the release of the information would give Delta's competitors an unfair advantage in that Delta's suppliers would only offer slightly better pricing than their nearest competitor, rather than the suppliers' best offer.

Having considered the petition and the materials at issue, the Commission finds that identity of gas suppliers to a utility is generally recognized as confidential or proprietary;² it therefore meets the criteria for confidential treatment and is exempted from public disclosure pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(c)(1).

¹ November 2021 GCR Adjustment (filed Sept. 24, 2021).

² Case No. 2019-00364 *Electronic Purchased Gas Adjustment Filing of Delta Natural Gas Company, Inc.* (Ky. PSC Nov. 6, 2019), Order.

IT IS THEREFORE ORDERED that:

1. Delta's petition for confidential treatment is granted.
2. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for an indefinite period or until further Order of this Commission.
3. Use of the designated material granted confidential treatment by this Order in any Commission proceeding shall comply with 807 KAR 5:001, Section 13(9).
4. Delta shall inform the Commission if the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment.
5. If a nonparty 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, Delta shall have 30 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 Delta 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 requested material available for inspection for 30 days from the date of service of an Order finding that the material no longer qualifies for confidential treatment in order to allow Delta to seek a remedy afforded by law.

By the Commission

ENTERED
FEB 28 2022 rCS
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


Executive Director

Case No. 2021-00380

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