

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC PURCHASED GAS ADJUSTMENT)	CASE NO.
FILING OF LOUISVILLE GAS AND ELECTRIC)	2022-00421
COMPANY)	

ORDER

On December 30, 2022, Louisville Gas and Electric Company (LG&E) 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 information contained in LG&E's application, Exhibit B-1, pages 6 and 7 and the corresponding invoices. The designated material identifies LG&E's natural gas suppliers, the gas volume delivered by each supplier, and the total purchased gas costs for February 1, 2023, through April 30, 2023.

In support of its petition, LG&E argued that public disclosure of this information would result in competitive harm by adversely impacting LG&E's ability to negotiate future gas supply contracts at favorable prices, and therefore would impair LG&E's ability to minimize the price of natural gas paid by LG&E's customers.

KRS 61.878(1)(c)(1) exempts from open records laws information generally recognized as confidential or proprietary that if publicly disclosed would permit an unfair commercial advantage to competitors of the entity that disclosed the records.

Having considered the petition and the material at issue, the Commission finds that the designated material is generally recognized as confidential or proprietary, and that

public disclosure could result in commercial harm to LG&E by impairing LG&E's ability to obtain the most favorable prices for its natural gas supply, which in turn would raise the price paid by LG&E's customers for natural gas. The designated material 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) as disclosure would permit an unfair commercial advantage to the competitors of LG&E.

IT IS THEREFORE ORDERED that:

1. LG&E's December 30, 2022 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. LG&E 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, LG&E 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 LG&E 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 LG&E to seek a remedy afforded by law.

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PUBLIC SERVICE COMMISSION

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Chairman

*Mr. Signers
w/ Permission*

Angie Hartton

Vice Chairman

May Pat Rogan

Commissioner

ENTERED
AUG 10 2023 rcs
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:

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