

**COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION**

**IN THE MATTER OF:**

**APPLICATION OF THE BLUE GRASS ENERGY )  
COOPERATIVE CORPORATION FOR AN ORDER )  
PURSUANT TO KRS 278.300 AND 807 KAR 5:001, )  
SECTION 11 AND RELATED SECTIONS )  
AUTHORIZING THE COOPERATIVE TO OBTAIN )  
A LOAN IN THE AMOUNT OF \$525,000.00 FROM )  
THE NATIONAL RURAL UTILITIES )  
COOPERATIVE FINANCE CORPORATION )**

**CASE NO. 2006-167**

**RECEIVED**

**MAY 04 2006**

**PUBLIC SERVICE  
COMMISSION**

**PETITION FOR FINDING OF INFORMATION TO BE KEPT CONFIDENTIAL**

Comes now Blue Grass Energy Cooperative Corporation (hereinafter referred to as “Blue Grass Energy”) and states as follows for its Petition under the provisions of 806 KAR 5:001, Section 7, Subparagraphs 1 through 4:

1. Your Petitioner filed with the Commission on the 25<sup>th</sup> day of April, 2006, an Application seeking the Commission’s authorization for the obtaining of a loan by Blue Grass Energy in the amount of \$525,000.00 from National Rural Utilities Cooperative Finance Corporation. This was in Case No. 2006-167.

2. In paragraph 12, page 3, of that Application, your Petitioner asks that certain portions of its filing be kept confidential by the Commission.

3. Now, this Petition is filed to state grounds for your Petitioner’s request that certain information in the original application be kept confidential, and stating specifically what portions of the original filings are requested to be kept confidential by the Commission.

4. The previous Application for approval by the Commission of your Petitioner's loan included as Exhibits certain proposed contractual documents between Blue Grass Energy and United States Army, acting by and through the Blue Grass Army Depot, in Madison County, Kentucky. It is contemplated by these contractual documents that Blue Grass Energy will be given the opportunity to complete certain but different tasks at points in the future. These different tasks would be evidenced by separate "task orders" which would contain the logistics of the work to be done, and the compensation to be paid Blue Grass Energy for the work. The first "task order" in this series was included by Blue Grass Energy with the original petition filed with the Commission.

5. KRS 61.878 (paragraph (1) subparagraph C sub-subparagraphs 1 and 2 provide that records are to be kept confidential if "disclosed to an agency or required by an agency to be disclosed to it, generally recognized as confidential or proprietary, which if openly disclosed would permit an unfair commercial advantage to competitors of the entity that disclosed the records;" and the records shall be kept confidential which are "disclosed to an agency or required by an agency to be disclosed to it, generally recognized as confidential or proprietary, which are compiled and maintained in conjunction with an application for or for the administration of a loan or grant;"

6. If the logistical details of the work to be done and the pricing in this first task order filed with Petitioner's Application were made public, then, in the future, when these task orders are awarded, competitors of Blue Grass Energy would have the advantage of knowing the details of the work that was done in the original task order by Blue Grass Energy, and what it was paid therefore. This would constitute a clear unfair commercial advantage to Blue Grass' competitors for future work at the Army Depot.

7. Pursuant to the Rules of Procedure of the Commission, your Petitioner attaches one copy of the material in the filed task order which identifies by underscoring those portions which your Petitioner requests be deleted, and kept confidential. There is also filed ten copies of the material in the task order with the portions requested to be deleted and kept confidential obscured.

Wherefore, Blue Grass Energy Cooperative Corporation respectfully requests that the Public Service Commission of the Commonwealth of Kentucky find that the indicated material in the task order filed with the Application should be kept confidential, and that that material be kept confidential; and further Blue Grass Energy Cooperative Corporation respectfully requests that the Public Service Commission of the Commonwealth of Kentucky issue an Order authorizing and granting unto Blue Grass Energy Cooperative Corporation approval for a \$525,000.00 loan from the National Rural Utilities Cooperative Finance Corporation and all other relief to which applicant may be entitled.

Dated at Versailles, Kentucky this 4<sup>th</sup> day of May, 2006.

BLUE GRASS ENERGY COOPERATIVE  
CORPORATION

BY: 

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