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

**SEP 11 2008
PUBLIC SERVICE
COMMISSION**

In the Matter of:

**APPLICATION OF KENTUCKY)
UTILITIES COMPANY FOR AN) CASE NO. 2008-00251
ADJUSTMENT OF BASE RATES)**

In the Matter of:

**APPLICATION OF KENTUCKY)
UTILITIES COMPANY TO FILE) CASE NO. 2007-00565
DEPRECIATION STUDY)**

In the Matter of:

**AN ADJUSTMENT OF THE ELECTRIC)
AND GAS RATES, TERMS AND) CASE NO. 2008-00252
CONDITIONS OF LOUISVILLE GAS)
AND ELECTRIC COMPANY)**

In the Matter of:

**APPLICATION OF LOUISVILLE GAS)
AND ELECTRIC COMPANY TO FILE) CASE NO. 2007-00564
DEPRECIATION STUDY)**

**JOINT PETITION OF KENTUCKY UTILITIES COMPANY
AND LOUISVILLE GAS AND ELECTRIC COMPANY
FOR CONFIDENTIAL PROTECTION FOR RESPONSES
TO CERTAIN DATA REQUESTS OF THE
KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC.**

Kentucky Utilities Company ("KU") and Louisville Gas and Electric Company ("LG&E") (collectively "Applicants") hereby petition the Kentucky Public Service Commission ("Commission") pursuant to 807 KAR 5:001, Section 7, and KRS 61.878(1)(c) to grant confidential protection for the items described herein, which the Applicants seek to provide in response to: First Set of Data Requests of Kentucky Industrial Utility Customers, Inc. to KU No. 14(a) ("KU Request No."); and First Set of Data Requests of Kentucky Industrial Utility

Customers, Inc. to LG&E No. 14(a) (“LG&E Request No.”). In support of this Petition, the Applicants state as follows:

1. The Kentucky Open Records Act exempts from disclosure certain commercial information. KRS 61.878(1)(c). To qualify for this exemption and, therefore, maintain the confidentiality of the information, a party must establish that disclosure of the commercial information would permit an unfair advantage to competitors of the party seeking confidentiality.

2. KU Request No. 14(a) and LG&E Request No. 14(a) ask the Applicants to provide a copy of all staffing studies performed by or on behalf of the Applicants. All information concerning potential workforce changes and staffing levels is commercially sensitive and therefore merits confidential protection because the Applicants maintain such information in strict confidence, sharing it internally only with personnel who have a need to know, and because publicly disclosing such information could harm the Applicants’ ability to retain and hire personnel, as well as reveal the Applicants’ corporate strategic direction to their competitors.

3. If the Commission disagrees with any of these requests for confidential protection, however, it must hold an evidentiary hearing (a) to protect the Applicants’ due process rights and (b) to supply the Commission with a complete record to enable it to reach a decision with regard to this matter. Utility Regulatory Commission v. Kentucky Water Service Company, Inc., Ky. App., 642 S.W.2d 591, 592-94 (1982).

4. The Applicants will disclose the confidential information, pursuant to a protective agreement, to intervenors and others with a legitimate interest in this information and as required by the Commission. In accordance with the provisions of 807 KAR 5:001 Section 7, the Applicants herewith file with the Commission one copy of the above-discussed responses with

the confidential information highlighted and ten (10) copies of its response without the confidential information.

WHEREFORE, Kentucky Utilities Company and Louisville Gas and Electric Company respectfully request that the Commission grant confidential protection for the information at issue, or in the alternative, schedule an evidentiary hearing on all factual issues while maintaining the confidentiality of the information pending the outcome of the hearing.

Dated: September 11, 2008

Respectfully submitted,



Kendrick R. Riggs
W. Duncan Crosby III
Stoll Keenon Ogden PLLC
2000 PNC Plaza
500 West Jefferson Street
Louisville, Kentucky 40202-2828
Telephone: (502) 333-6000

Allyson K. Sturgeon
Senior Corporate Attorney
E.ON U.S. LLC
220 West Main Street
Louisville, Kentucky 40202
Telephone: (502) 627-2088

Counsel for Kentucky Utilities Company and
Louisville Gas and Electric Company

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Joint Petition for Confidential Protection was served via U.S. mail, first-class, postage prepaid, this 11th day of September 2008 upon the following persons:

Dennis G. Howard II
Lawrence W. Cook
Assistant Attorneys General
Office of the Attorney General
Office of Rate Intervention
1024 Capital Center Drive, Suite 200
Frankfort, KY 40601-8204


David C. Brown
Stites & Harbison, PLLC
400 West Market Street, Suite 1800
Louisville, KY 40202

Michael L. Kurtz
Boehm, Kurtz & Lowry
36 East Seventh Street, Suite 1510
Cincinnati, OH 45202

Joe F. Childers
Getty & Childers, PLLC
1900 Lexington Financial Center
250 West Main Street
Lexington, KY 40507

Willis L. Wilson
Leslye M. Bowman, Director of Litigation
Lexington-Fayette Urban County Government
Department of Law
200 East Main Street, P. O. Box 34028
Lexington, KY 40588-4028

Lisa Kilkelly
Legal Aid Society
416 West Muhammad Ali Blvd.
Suite 300
Louisville, KY 40202



Counsel for Kentucky Utilities Company
and Louisville Gas and Electric Company