

Commonwealth of Kentucky
Before the Public Service Commission

In the Matter of:

APPLICATION FOR RATE ADJUSTMENT
BY WATER SERVICE CORPORATION OF
KENTUCKY

)
) Case No. 2008-00563
)

RECEIVED

MAR 16 2009

PUBLIC SERVICE
COMMISSION

ATTORNEY GENERAL'S
RESPONSE TO APPLICANT'S
PETITION FOR CONFIDENTIALITY

The Attorney General, by and through his Office of Rate Intervention and pursuant to 807 KAR 5:001 Section 7 (2)(e), provides his Response to Applicant's Petition for Confidentiality. The Attorney General requests this Commission deny the Petition. In support, the Attorney General notes the following.

The Independent Auditor's Report and the Distribution of Expenses Report "does not meet the confidentiality criterion as it does not demonstrate a competitive disadvantage."¹ Likewise, the mere disclosure of the Consolidated Financial Statements of Utilities, Inc., and the Allocation of Rate Base, do not demonstrate a competitive disadvantage. Indeed, it is the type of information routinely disclosed by all utilities seeking an increase in rates. To allow confidential treatment of the information would, in actuality, create a competitive advantage for the Applicant by allowing Applicant to shield the

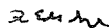
¹ See, for background, Case No. 2005-00325, 21 November 2005 letter from Beth O'Donnell, Executive Director of Ky PSC, to John N. Hughes, counsel for Water Service Corporation of Kentucky.

information. With regard to Exhibit 4 (concerning wages and salaries), the Attorney General notes that the information is, at best, simply "sensitive" (as conceded by Applicant). It is not confidential.

WHEREFORE, Applicant does not provide evidence and argument sufficient to meet its burden under 807 KAR 5:001 Section 7. Accordingly, the Petition should be denied.

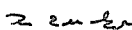
Respectfully submitted,

JACK CONWAY
ATTORNEY GENERAL


David Edward Spenard
Assistant Attorney General
1024 Capital Center Drive, Suite 200
Frankfort, KY 40601-8204
T 502 696-5457
F 502 573-8315

Certificate of Service and Filing

Counsel certifies that an original and ten photocopies of this Response were served and filed by hand delivery to Jeff Derouen, Executive Director, Public Service Commission, 211 Sower Boulevard, Frankfort, Kentucky 40601; furthermore, it was served by mailing a true and correct of the same, first class postage prepaid, to John N. Hughes, 124 W. Todd St., Frankfort, Kentucky 40601, all on this 16th day of March 2009.



Assistant Attorney General