

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

METRO PROPERTY MANAGEMENT CO., INC./
TINA HIGDON)
)
COMPLAINANT)
)
v.)
)
LOUISVILLE GAS AND ELECTRIC)
COMPANY)
)
DEFENDANT)

CASE NO.
2009-00462

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COMMISSION

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PETITION OF LOUISVILLE GAS AND ELECTRIC COMPANY
FOR CONFIDENTIAL PROTECTION

Louisville Gas and Electric Company (“LG&E”) hereby petitions the Kentucky Public Service Commission (“Commission”) pursuant to 807 KAR 5:001, Section 7, and KRS 61.878(1)(a) to grant confidential protection for the items described herein, which KU has provided in support of its Reply to the Response of Metro Property Management Company, Inc. and Tina Higdon (“Metro Property”). In support of this Petition, LG&E states as follows:

1. The Kentucky Open Records Act exempts from disclosure certain information of a personal nature where public disclosure would constitute a clearly unwarranted invasion of personal privacy. KRS 61.878(1)(a).

2. In its Reply, LG&E attached copies of e-mail correspondence and a spreadsheet containing detailed billing information. This information contains the customer's e-mail address and account numbers and merits confidential protection because LG&E believes that revealing this information in the public record could result in an unwarranted invasion of personal privacy.

3. If the Commission disagrees with this request for confidential protection, however, it must hold an evidentiary hearing (a) to protect LG&E's 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. LG&E will disclose the confidential documents, 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, LG&E herewith files with the Commission one copy of the above-discussed documents with the confidential information highlighted and ten (10) copies of its response without the confidential information.

WHEREFORE, Louisville Gas and Electric Company respectfully requests 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: February 17, 2010

Respectfully submitted,



Allyson K. Sturgeon

Senior Corporate Attorney

E.ON U.S. LLC

220 West Main Street

Louisville, Kentucky 40202

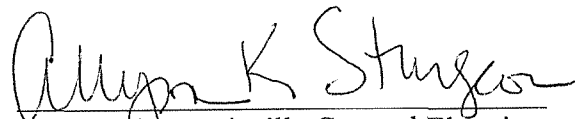
Telephone: (502) 627-2088

Counsel for Kentucky Utilities Company

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Petition for Confidential Protection was served via U.S. mail, first-class, postage prepaid, this 17th day of February, 2010, upon the following persons:

Metro Properties/ Tina Higdon
Metro Property Management Co. Inc.
P.O. Box 485
Cave City, Kentucky 42127



Counsel for Louisville Gas and Electric
Company