

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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COMMISSION

In the Matter of:

CHARLES S. CARTER JR.

COMPLAINANT

v.

KENTUCKY UTILITIES COMPANY

DEFENDANT

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CASE NO.
2010-00129

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**PETITION OF KENTUCKY UTILITIES COMPANY
FOR CONFIDENTIAL PROTECTION**

Kentucky Utilities Company (“KU”) 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 Response to Question No. 3 of the Commission Staff’s First Data Requests dated August 19, 2010. In support of this Petition, KU 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 Response to Question No. 3 of the Commission Staff's data requests, KU attached copies of Mr. Carter's electric utility bills. This information contains the customer's account number and merits confidential protection because KU 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 KU'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. KU 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, KU herewith files with the Commission one copy of the above-discussed documents with the confidential information highlighted and ten (10) copies of its response with the confidential information redacted.

WHEREFORE, Kentucky Utilities 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: September 1, 2010

Respectfully submitted,



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Counsel for Kentucky Utilities Company

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Answer was served on the following on the 1st day of September, 2010, U.S. mail, postage prepaid:

Charles S. Carter Jr.
55 East Center Street
Corbin, Kentucky 40701



Counsel for Kentucky Utilities Company