Steven L. Beshear Governor

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Commonwealth of Kentucky
Public Service Commission
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James W. Gardner Vice Chairman

Charles R. Borders Commissioner

October 12, 2011

Louisville Gas and Electric Company Attention: Allyson Sturgeon 220 West Main Street P.O. Box 32010 Louisville, Kentucky 40232

Re:

Louisville Gas and Electric Company

Petition for Confidential Protection received 9/1/11

PSC Reference #: 2011-00162

Dear Ms. Sturgeon:

The Public Service Commission has received the Petition for Confidential Protection you filed on September 1, 2011 on behalf of Louisville Gas and Electric Company ("LG&E") to protect certain information filed with the Commission as confidential pursuant to Section 7 of 807 KAR 5:001 and KRS 61.878. The information you seek to have treated as confidential is identified as being contained in LG&E's Response to Environmental Group's 2<sup>nd</sup> Data Request No. 28. The information is described as Confidential Board Minutes containing LG&E's highest level decision making processes on numerous matters, including future environmental compliance of coal plants, litigation or settlements concerning coal plants, and other matters that could affect the costs or output of the coal plants.

Your justification for having the Commission handle this material as confidential is that the public disclosure of the information would compromise LG&E's competitive position in the industry, which would result in an unfair commercial advantage to its competitors.

Based on a review of the information and pursuant to KRS 61.878 and 807 KAR 5:001, Section 7, the Commission has determined that the information requested to be held confidential is of a proprietary nature, which if publicly disclosed would permit an unfair commercial advantage to LG&E's competitors. Therefore, the information requested to be treated as confidential **meets the criteria for confidential protection** and will be maintained as a nonpublic part of the Commission's file in this case. The procedure for



Ms. Sturgeon October 12, 2011 Page 2

usage of confidential materials during formal proceedings may be found at Section 7(8) of 807 KAR 5:001.

If the information becomes publicly available or no longer warrants confidential treatment, Louisville Gas and Electric Company is required by Section 8(9)(a) of 807 KAR 5:001 to inform the Commission so that the information may be placed in the public record.

Executive Director

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cc: Parties of Record