

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF LOUISVILLE GAS AND)	
ELECTRIC COMPANY FOR AN ADJUSTMENT OF)	
ITS ELECTRIC AND GAS RATES, A)	
CERTIFICATE OF PUBLIC CONVENIENCE AND)	CASE NO. 2012-00222
NECESSITY, APPROVAL OF OWNERSHIP OF)	
GAS SERVICE LINES AND RISERS, AND A GAS)	
LINE SURCHARGE)	

ORDER REGARDING REQUEST FOR CONFIDENTIAL TREATMENT

On August 14, 2012, Louisville Gas and Electric Company (“Movant”) moved pursuant to 807 KAR 5:001, Section 7,¹ that certain materials filed with the Commission be afforded confidential treatment and not be placed in the public record subject to public inspection.

In support of its motion, Movant states that the information it is requesting to be held confidential is contained in its Responses to Commission’s Second Request for Information Nos. 54 and 108. The information is more particularly described as (DR 54) – supplier contracts with 3rd party vendors; and (DR 108) – Exhibits to testimony of Robert Conroy containing customer-identifying information such as customer names and account numbers.

Having carefully considered the motion and the materials at issue, the Commission finds that:

¹ On January 4, 2013, the Commission’s confidentiality regulation was revised and renumbered as 807 KAR 5:001, Section 13.

1. The materials for which Movant seeks confidential treatment meet the criteria for confidential treatment and are exempted from public disclosure pursuant to KRS 61.878(1)(c), KRS 61.878(1)(a), and 807 KAR 5:001, Section 13.

2. The materials for which Movant seeks confidential treatment contained in Movant's Response to DR 54 should not be placed in the public record or made available for public inspection for a period of four years from the date of this Order, at which time the materials will no longer qualify for the exemption pursuant to KRS 61.878(1)(c).

3. The materials for which Movant seeks confidential treatment contained in Movant's Response to DR 108 should not be placed in the public record or made available for public inspection for an indefinite period of time due to the personal nature of the information requested to be held confidential, the disclosure of which could result in an unwarranted invasion of personal privacy pursuant to KRS 61.878(1)(a).

IT IS THEREFORE ORDERED that:

1. Movant's motion for confidential protection is hereby granted.

2. (a) The materials for which Movant seeks confidential treatment in Movant's Response to DR 108 shall not be placed in the public record nor made available for public inspection for an indefinite period of time pursuant to the exceptions under KRS 61.878(1)(a).

(b) The materials for which Movant seeks confidential treatment contained in Movant's Response to DR 54 are contracts that extend for two years and shall not be placed in the public record nor made available for public inspection for a period of four years from the date of this Order. At the end of this period, the materials

shall be placed in the public record. The Movant may request that the materials continue to be treated as confidential but must demonstrate that the materials still fall within the exclusions established in KRS 61.878.

3. If Movant objects to the time limits that the Commission has placed on the confidential treatment for the materials in question, it must seek either rehearing pursuant to KRS 278.400 or judicial review of this Order pursuant to KRS 278.410. Failure to exercise either of these statutory rights will be deemed as agreement with the Commission's determination of the period for which the materials are afforded confidential treatment and will require Movant to demonstrate a change in circumstances in any subsequent motion for continued confidential treatment of the material in question after the end of the period set forth in ordering paragraph 2(b).

4. Use of the materials in question in this proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).

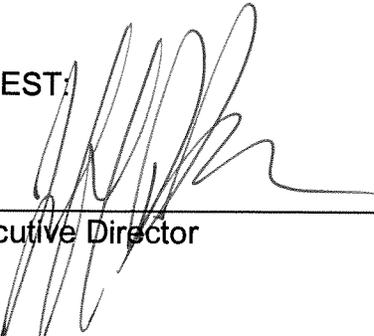
5. Movant shall inform the Commission if the materials in question become publicly available or no longer qualify for confidential treatment.

6. If a non-party to this proceeding requests to inspect materials granted confidential treatment by this Order and the period during which the materials have been granted confidential treatment has not run, the Movant shall have 20 days from receipt of written notice of the request to demonstrate that the materials still fall within the exclusions from disclosure requirements established in KRS 61.878. If Movant is unable to make such demonstration, the requested materials shall be made available for inspection.

By the Commission

ENTERED
JUL 16 2013
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Executive Director

Case No. 2012-00222

Lonnie E Bellar
Vice President, State Regulation & Rates
Louisville Gas and Electric Company
220 W. Main Street
P. O. Box 32010
Louisville, KY 40202

Honorable Lisa Kilkelly
Attorney at Law
Legal Aid Society
416 West Muhammad Ali Boulevard
Suite 300
Louisville, KENTUCKY 40202

Honorable Kurt J Boehm
Attorney at Law
Boehm, Kurtz & Lowry
36 East Seventh Street
Suite 1510
Cincinnati, OHIO 45202

Honorable Michael L Kurtz
Attorney at Law
Boehm, Kurtz & Lowry
36 East Seventh Street
Suite 1510
Cincinnati, OHIO 45202

David Brown
Stites & Harbison, PLLC
1800 Providian Center
400 West Market Street
Louisville, KENTUCKY 40202

Jody M Kyler
Boehm, Kurtz & Lowry
36 East Seventh Street
Suite 1510
Cincinnati, OHIO 45202

Larry Cook
Assistant Attorney General
Office of the Attorney General Utility & Rate
1024 Capital Center Drive
Suite 200
Frankfort, KENTUCKY 40601-8204

Honorable Matthew R Malone
Attorney at Law
Hurt, Crosbie & May PLLC
The Equus Building
127 West Main Street
Lexington, KENTUCKY 40507

Honorable John M Dosker
General Counsel
Stand Energy Corporation
1077 Celestial Street
Building 3, Suite 110
Cincinnati, OHIO 45202-1629

Honorable William H May, III
Attorney at Law
Hurt, Crosbie & May PLLC
The Equus Building
127 West Main Street
Lexington, KENTUCKY 40507

Honorable Dennis G Howard II
Assistant Attorney General
Office of the Attorney General Utility & Rate
1024 Capital Center Drive
Suite 200
Frankfort, KENTUCKY 40601-8204

Eileen Ordover
Legal Aid Society
416 West Muhammad Ali Boulevard
Suite 300
Louisville, KENTUCKY 40202

Honorable Patrick R Hughes
Attorney at Law
Dressman, Benzinger & LaVelle, PSC
207 Thomas More Parkway
Crestview Hills, KENTUCKY 41017-2596

Honorable Kendrick R Riggs
Attorney at Law
Stoll Keenon Ogden, PLLC
2000 PNC Plaza
500 W Jefferson Street
Louisville, KENTUCKY 40202-2828