

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

JOINT APPLICATION OF CORIX UTILITIES)
(ILLINOIS) LLC; HYDRO STAR, LLC; UTILITIES,)
INC.; AND WATER SERVICE CORPORATION OF) CASE NO. 2012-00133
KENTUCKY FOR THE TRANSFER AND)
ACQUISITION OF CONTROL PURSUANT TO KRS)
278.020

ORDER REGARDING REQUEST FOR CONFIDENTIAL TREATMENT

On April 17, 2012, Corix Utilities (Illinois) LLC; Hydro Star, LLC; Utilities, Inc.; and Water Service Corporation of Kentucky ("Petitioners") petitioned pursuant to 807 KAR 5:001, Section 13,¹ that the Purchase and Sales Agreement and the Consolidated Financial Statements of Corix Infrastructure, Inc. be afforded confidential treatment and not be placed in the public record subject to public inspection. The materials in question were filed with the Petitioners' Application.

In support of their motion, Petitioners state that the materials at issue are records generally recognized as confidential or proprietary, which if openly disclosed would permit an unfair commercial advantage to its competitors, and are exempted from public inspection pursuant to KRS 61.878(1)(c)(1).

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

¹ Petitioners made their motion pursuant 807 KAR 5:001, Section 7. Since the filing of this motion, the Commission has promulgated revisions to 807 KAR 5:001. The section of the Commission's Rules of Procedure pertaining to confidential treatment of records is now found at Section 13.

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

2. The materials for which Movant seeks confidential treatment should not be placed in the public record or made available for public inspection until further Order of the Commission.

IT IS THEREFORE ORDERED that:

1. Petitioners' motion for confidential protection is hereby granted.

2. The materials for which Petitioners seek confidential treatment shall not be placed in the public record nor made available for public inspection until further Order of the Commission.

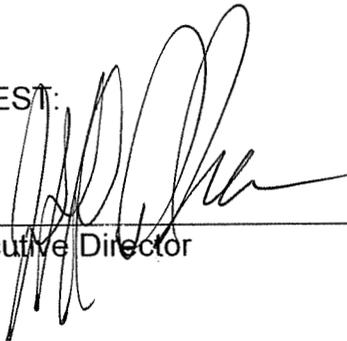
3. Petitioners shall inform the Commission if the materials in question become publicly available or no longer qualify for confidential treatment.

4. If a non-party to this proceeding requests to inspect materials granted confidential treatment by this Order, the Petitioners 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 Petitioners are unable to make such demonstration, the requested materials shall be made available for inspection.

By the Commission

ENTERED
APR 25 2013
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Executive Director

Case No. 2012-00133

Jennifer B Hans
Assistant Attorney General's Office
1024 Capital Center Drive, Ste 200
Frankfort, KENTUCKY 40601-8204

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

M. Todd Osterloh
Sturgill, Turner, Barker & Moloney, PLLC
333 West Vine Street
Suite 1400
Lexington, KENTUCKY 40507

Honorable David Edward Spenard
Assistant Attorney General
Office of the Attorney General Utility & Rate
1024 Capital Center Drive
Suite 200
Frankfort, KENTUCKY 40601-8204