

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KENTUCKY UTILITIES )  
COMPANY FOR AN ADJUSTMENT OF ITS ) CASE NO. 2012-00221  
ELECTRIC RATES )

ORDER REGARDING REQUEST FOR CONFIDENTIAL TREATMENT

On September 12, 2012, Kentucky Utilities Company (“Movant”) moved pursuant to 807 KAR 5:001, Section 7,<sup>1</sup> 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 Kentucky Industrial Utility Customers’ (“KIUC”) Second Set of Data Request Nos. 25, 71(b), 84, and 118. The information is more particularly described as (DR 25) – annualized costs relating to revolving credit facility; (DR 71b) – cell phone numbers; (DR 84) – correspondence pertaining to inputs, terms, and methodologies used in the Ventyx Report; as well as a personal cell phone number for a KU employee, and financial information of Gannett Fleming, Inc.; and (DR 118) – data obtained from Platts Gas Daily.

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

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<sup>1</sup> 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 No. 25, DR No. 84, and DR No. 118 should not be placed in the public record or made available for public inspection for an indefinite period of time due to the type of the information, including proprietary subscriber only information contained within Platts Gas Daily, the disclosure of which would permit an unfair commercial advantage to competitors of Movant pursuant to KRS 61.878(1)(c).

3. The materials for which Movant seeks confidential treatment contained in Movant's Response to DR No. 71(b) and DR No. 84 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.

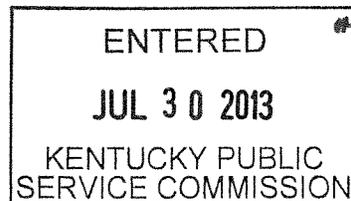
2. The materials for which Movant seeks confidential treatment in Movant's Response to DR No. 25, DR No. 71(b), DR No. 84 and DR No. 118 shall not be placed in the public record or made available for public inspection for an indefinite period of time pursuant to the exceptions under KRS 61.878(1)(a) and (c).

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

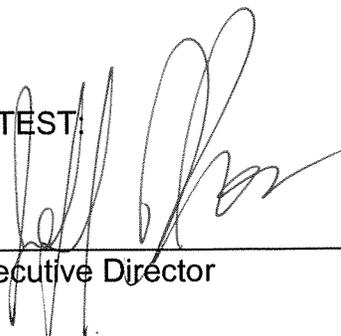
4. Movant shall inform the Commission if the materials in question become publicly available or no longer qualify for confidential treatment.

5. 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



ATTEST:

  
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Executive Director

Case No. 2012-00221

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