

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

| | | |
|-----------------------------------|---|---------------------|
| AN EXAMINATION BY THE PUBLIC |) | |
| SERVICE COMMISSION OF THE |) | |
| ENVIRONMENTAL SURCHARGE |) | CASE NO. 2016-00124 |
| MECHANISM OF BIG RIVERS ELECTRIC |) | |
| CORPORATION FOR THE SIX-MONTH |) | |
| BILLING PERIOD ENDING JANUARY 31, |) | |
| 2016 AND THE PASS THROUGH |) | |
| MECHANISM OF ITS THREE MEMBER |) | |
| DISTRIBUTION COOPERATIVES |) | |

ORDER

On May 2, 2016, Big Rivers Electric Corporation (“Big Rivers”) filed a motion, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878, requesting 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 May 2, 2016 motion, Big Rivers states that the information it is requesting to be held confidential is contained in portions of attachments to responses to the Commission Staff’s First Request for Information (“Staff’s First Request”), Item 7.b. The information is more particularly described as the identity and location of substations on Big Rivers’ transmission system, including detailed information such as substation loading.

Big Rivers states that the information contained in the responses to Staff’s First Request, Item 7.b, if made public, could be used to analyze vulnerable locations in Big Rivers’ transmission system, which could pose a threat to the public safety.

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

1. The attachments to Staff's First Request, Item 7.b., for which Big Rivers seeks confidential treatment meet the criteria for confidential treatment and is exempted from public disclosure pursuant to KRS 61.878(1)(c)(1) and 807 KAR 5:001, Section 13.

2. Pursuant to KRS 61.878, the materials for which Big Rivers requests confidential protection should not be placed in the public record or made available for public inspection for an indefinite period of time, or until further Order of the Commission.

IT IS THEREFORE ORDERED that:

1. Big River's motion for confidential protection for attachments to its response to Staff's First Request, Item 7.b., is granted.

2. Pursuant to KRS 61.878, the information for which Big Rivers requests confidential protection shall not be placed in the public record or made available for public inspection indefinitely from the date of this Order, or until further Order of the Commission.

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

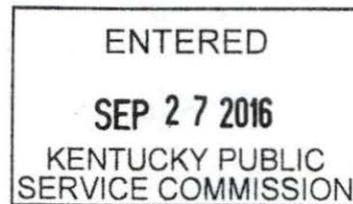
4. Big Rivers shall inform the Commission if the materials in question become publicly available or no longer qualify for confidential treatment.

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

6. The Commission shall not make the materials available for inspection for 20 days following an Order finding that the materials no longer qualify for confidential treatment in order to allow Big Rivers to seek a remedy afforded by law.

By the Commission



ATTEST:


Executive Director

*Kenergy Corp.
6402 Old Corydon Road
P. O. Box 18
Henderson, KY 42419

*Jackson Purchase Energy Corporation
Jackson Purchase Energy Corporation
2900 Irvin Cobb Drive
P. O. Box 4030
Paducah, KY 42002-4030

*Kenergy Corp.
Kenergy Corp.
6402 Old Corydon Road
P. O. Box 18
Henderson, KY 42419

*Meade County R.E.C.C.
P. O. Box 489
Brandenburg, KY 40108-0489

*Meade County R.E.C.C.
Meade County R.E.C.C.
P. O. Box 489
Brandenburg, KY 40108-0489

*Big Rivers Electric Corporation
201 Third Street
P. O. Box 24
Henderson, KY 42420

*Big Rivers Electric Corporation
Big Rivers Electric Corporation
201 Third Street
P. O. Box 24
Henderson, KY 42420

*Jackson Purchase Energy Corporation
2900 Irvin Cobb Drive
P. O. Box 4030
Paducah, KY 42002-4030