

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF KENTUCKY)	
UTILITIES COMPANY FOR AN ADJUSTMENT OF)	CASE NO.
ITS ELECTRIC RATES AND FOR CERTIFICATES)	2016-00370
OF PUBLIC CONVENIENCE AND NECESSITY)	

ORDER

This matter arises from two motions requesting confidential treatment, pursuant to KRS 61.878(1) and 807 KAR 5:001, Section 13, filed by Kentucky Utilities Company (KU) on February 27, 2017.

In the first motion, KU requests confidential treatment for five years for information contained in its supplemental response to Lexington Fayette Urban County Government's Second Request for Information (LFUCG's Second Request), Item 30(b). KU states that the information in its supplemental response to LFUCG's Second Request, Item 30(b), consists of invoices from Wilhod, Inc., that contains confidential pricing information. KU asserts that public disclosure of this information would negatively impact KU and its ratepayers because it may harm the relationship with KU and its vendors, which could result in KU having difficulty negotiating favorable contracts in the future. KU avers that such information is exempt from public disclosure pursuant to KRS 61.878(1)(c)(1).

In its second motion, KU requests confidential treatment for an indefinite period of time for information contained in its supplemental responses to Kentucky League of Cities' Second Request for Information (KLC's Second Request), Items 12(a), 12(c), 12(f), and 13. KU states that the information in its supplemental responses to KLC's Second

Request, Items 12(a), 12(c), 12(f), and 13, contain customer names and account numbers. KU asserts that the identification of specific customers is personal information that should not be in the public domain and that such information is exempt from public disclosure pursuant to KRS 61.878(1)(a).

Having carefully considered the motions and the materials at issue, the Commission finds that the designated materials in the confidentiality motions of KU meet the criteria for confidential treatment and are exempted from public disclosure pursuant to KRS 61.878(1) and 807 KAR 5:001, Section 13.

IT IS THEREFORE ORDERED that:

1. KU's February 27, 2017 motions for confidential treatment are granted.
2. The designated materials for which KU seeks confidential treatment in its first February 27, 2017 motion shall not be placed in the public record or made available for public inspection for five years or until further Orders of this Commission.
3. The designated materials for which KU seeks confidential treatment in its second February 27, 2017 motion shall not be placed in the public record or made available for public inspection for an indefinite period or until further Orders of this Commission.
4. Use of the materials in question in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).
5. KU 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 the materials granted confidential treatment by this Order and the period during which the materials have been

granted confidential treatment has not run, then KU shall have 30 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 KU is unable to make such demonstration, the requested materials shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

7. The Commission shall not make the requested materials available for inspection for 30 days following an Order finding that the materials no longer qualify for confidential treatment in order to allow KU to seek a remedy afforded by law.

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By the Commission

ENTERED
APR 17 2019
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:

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