

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC JOINT APPLICATION OF AQUA	)	
AMERICA, INC., STEELRIVER	)	CASE NO.
INFRASTRUCTURE FUND NORTH AMERICA LP,	)	2018-00369
STEELRIVER LDC INVESTMENTS LP, LDC	)	
PARENT LLC, LDC FUNDING LLC, LDC	)	
HOLDINGS LLC, PNG COMPANIES LLC,	)	
PEOPLES GAS KY LLC, AND DELTA NATURAL	)	
GAS COMPANY, INC. FOR APPROVAL OF AN	)	
ACQUISITION OF OWNERSHIP AND CONTROL	)	
OF PNG COMPANIES LLC AND DELTA NATURAL	)	
GAS COMPANY, INC.	)	

ORDER

On February 25, 2019, Aqua America, Inc. (Aqua America), filed a petition, pursuant to KRS 61.878(1) and 807 KAR 5:001, Section 13, requesting confidential treatment of documents filed in response to the Attorney General's Post-Hearing Request for Information (Attorney General's Post-Hearing Request), Item 2, for five years. The designated materials are more specifically described as an updated version of a confidential financial analysis regarding the pending acquisition that was performed by Aqua America. The Commission granted confidential treatment of the designated materials in a previous Order.

As a basis for its request, Aqua America asserts that public disclosure of the designated materials would provide competitors with an unfair commercial advantage and result in commercial harm to Aqua America.

Having considered the petition and the material at issue, the Commission finds that the designated materials in Aqua America's response to the Attorney General's Post-Hearing Request, Item 2, meets the criteria for confidential treatment and is exempt from public disclosure pursuant to 807 KAR 5:001, Section 13; KRS 61.878(1)(c)(1).

IT IS THEREFORE ORDERED that:

1. Aqua America's petition for confidential treatment of its response to the Attorney General's Post-Hearing Request, Item 2 is granted.
2. The designated materials shall not be placed in the public record or made available for public inspection for five years, or until further Order of this Commission.
3. Use of the material in question in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).
4. Aqua America shall inform the Commission if the material in question becomes publicly available or no longer qualifies for confidential treatment.
5. If a non-party to this proceeding requests to inspect the material granted confidential treatment by this Order and the period during which the material has been granted confidential treatment has not expired, Aqua America shall have 30 days from receipt of written notice of the request to demonstrate that the material still falls within the exclusions from disclosure requirements established in KRS 61.878. If Aqua America is unable to make such demonstration, the requested material shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

6. The Commission shall not make the requested material available for inspection for 30 days following an Order finding that the material no longer qualifies for confidential treatment in order to allow Aqua America to seek a remedy afforded by law.

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By the Commission

ENTERED  
MAR 05 2019  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:



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