

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC INVESTIGATION INTO ALLEGED )  
VIOLATIONS OF KRS 278.160, 807 KAR 5:006; )  
AND COMMISSION ORDERS BY SALT RIVER )  
ELECTRIC COOPERATIVE CORP., SALT RIVER )  
ELECTRIC COOPERATIVE CORP.'S BOARD OF )  
DIRECTORS: JIMMY LONGMIRE, CHAIRMAN; )  
A.C. "HAPPY" CAHOE, VICE CHAIRMAN; LINDA )  
WEST, SECRETARY; GAYLE TROUTMAN, )  
TREASURER; DARRELL TINGLE, DIRECTOR; )  
AND GARRY MAN, AND SALT RIVER ELECTRIC )  
COOPERATIVE CORP.'S PRESIDENT AND )  
CHIEF EXECUTIVE OFFICER, TIM SHARP )

CASE NO.  
2020-00347

ORDER

On November 13, 2020, Salt River Electric Cooperative Corp. (Salt River Electric) filed a motion, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878, requesting that the Commission grant confidential treatment for an indefinite period for information redacted from Salt River Electric's responses to Commission Staff's First Request for Information (Staff's First Request), Items 1 and 2.

In support of its motion, Salt River Electric argued that the redacted information is exempt from public disclosure under KRS 61.878(1)(a), which exempts "[p]ublic records containing information of a personal nature where the public disclosure thereof would constitute a clearly unwarranted invasion of personal privacy." Salt River Electric asserted that this information consists of personal, sensitive, account-specific member information including member names, account numbers, telephone numbers, physical and email addresses, and balance information. Salt River Electric argued that protection

of this type of personal information is specifically contemplated by KRS 61.878(1)(a) and 807 KAR 5:001, Section 4(10), which requires redaction of individual names in connection with account numbers and addresses, phone numbers, and email addresses of individuals who are not parties or have requested to be parties.

Having considered the motion and the material at issue, the Commission finds that the redacted information is personal member information, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.<sup>1</sup> Any redacted names, account numbers, addresses, phone numbers and email addresses are required to be redacted by 807 KAR 5:001, Section 4(10)(a). Therefore, information redacted from Salt River Electric's responses to Staff's First Request, Items 1 and 2, meets the criteria for confidential treatment and is exempted from public disclosure indefinitely pursuant to 807 KAR 5:001, Sections 10 and 13, and KRS 61.878(1)(a)(1).

IT IS THEREFORE ORDERED that:

1. Salt River Electric's motion for confidential treatment is granted.
2. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for an indefinite period or until further Order of this Commission.
3. Use of the designated material granted confidential treatment by this Order in any Commission proceeding shall comply with 807 KAR 5:001, Section 13(9).

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<sup>1</sup> See Case No. 2020-00174, *Electronic Application of Kentucky Power Company For (1) A General Adjustment of Its Rates for Electric Service; (2) Approval of Tariffs and Riders; (3) Approval of Accounting Practices to Establish Regulatory Assets and Liabilities; (4) Approval of a Certificate of Public Convenience and Necessity; and (5) All Other Required Approvals and Relief* (Ky. PSC Oct. 27, 2020), Order at 3, granting confidential treatment for customer identifying information.

4. Salt River Electric shall inform the Commission if the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment.

5. If a nonparty 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, Salt River Electric 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 Salt River Electric 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 from the date of service of an Order finding that the material no longer qualifies for confidential treatment in order to allow Salt River Electric to seek a remedy afforded by law.

By the Commission



ATTEST:

  
Executive Director

Case No. 2020-00347

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