

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC ALLEGED FAILURE OF CLARK)	CASE NO.
ENERGY COOPERATIVE, INC. TO COMPLY)	2023-00005
WITH KRS 278.160(2))	

ORDER

On March 8, 2023, Clark Energy Cooperative, Inc. (Clark Energy) filed a motion, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878, requesting that the Commission grant confidential treatment for ten years for redactions from Exhibit A to its response to the Commission’s February 16, 2023 Order.

The redacted information consisted of customer names in combination with account numbers. In support of its motion, Clark Energy argued that pursuant to KRS 61.878(1)(a), that customer names would be considered “public records containing information of a personal nature where the public disclosure thereof would constitute a clearly unwarranted invasion of personal privacy.”

Having considered the motion and the material at issue, the Commission finds that confidential treatment should be granted. Under 807 KAR 5:001, Section 4(10)(a), a person filing a document including “an individual's first name or first initial and last name” in combination with an account number must encrypt or redact the name. Therefore, Clark Energy was required to redact the customer names. This information should remain confidential indefinitely, as 807 KAR 5:001, Section 4(10)(a) does not permit later public disclosure of this information.

IT IS THEREFORE ORDERED that:

1. Clark Energy'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).
4. Clark Energy shall inform the Commission if the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment.

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PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner



ATTEST:


Executive Director

*L. Allyson Honaker
Honaker Law Office, PLLC
1795 Alysheba Way
Suite 6202
Lexington, KENTUCKY 40509

*Chris Brewer
Clark Energy Cooperative, Inc.
2640 Ironworks Road
P. O. Box 748
Winchester, KY 40392-0748

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