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August 18, 2022

**VIA ELECTRONIC MAIL**

Ms. Linda C. Bridwell  
Executive Director  
Public Service Commission  
211 Sower Boulevard, P.O. Box 615  
Frankfort, Kentucky 40602-0615

RECEIVED

AUG 18 2022

PUBLIC SERVICE  
COMMISSION

Re: *In the Matter of: Application of Big Rivers Electric Corporation for a Certificate of Public Convenience and Necessity to Construct a 161 kV Transmission Line, and a 345 kV Transmission Line in Meade County, Kentucky – Case No. 2019-00270*

*In the Matter of: Electronic Application of Big Rivers Electric Corporation for a Certificate of Public Convenience and Necessity to Construct a 345 kV Transmission Line in Meade County, Kentucky – Case No. 2019-00417*

Dear Ms. Bridwell:

Ordering Paragraph No. 3 of the Commission's Order dated January 23, 2020, in Case No. 2019-00270, and Ordering Paragraph No. 3 of the Commission's Order dated May 1, 2020, in Case No. 2019-00417, direct Big Rivers Electric Corporation ("*Big Rivers*") to file "as-built" drawings or maps within 60 days of the completion of the construction authorized by the Orders.

Big Rivers hereby files the as-built drawings for the transmission lines, along with a Motion for Confidential Treatment, by electronic mail (e-mail) to [PSCED@ky.gov](mailto:PSCED@ky.gov). Specifically, the drawings are labelled:

1. Meade Co. to Otter Creek 69/161kV Line 11-E
2. Otter Creek – BSM 345kV Line 11-F  
Garrett Brandenburg 69kV Line 11-F
3. Otter Creek – BSM 345kV Line 11-M  
Buttermilk Falls Tap 69kV Line 11-M
4. Buttermilk Falls – BSM 69kV Line 11-Q
5. Redmon Road – Otter Creek 345kV Line 19-K

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Big Rivers submitted confidential general arrangement drawings for the substations and switching station on December 15, 2020.<sup>1</sup> These previously submitted drawings represent the stations as-built. Therefore, Big Rivers did not include a second copy of the drawings for the substations and switching station.

The Commission has excused no parties to these proceedings from its electronic filing procedures.

Please feel free to contact me should you have any questions regarding this filing.

Sincerely yours,

/s/ Senthia Santana


Senthia Santana

Associate Attorney

[senthia.santana@bigrivers.com](mailto:senthia.santana@bigrivers.com)

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<sup>1</sup> On March 15, 2021, the Commission granted confidential treatment indefinitely for the drawings.



**COMMONWEALTH OF KENTUCKY**  
**BEFORE THE KENTUCKY PUBLIC SERVICE COMMISSION**

**In the Matter of:**

APPLICATION OF	)	
BIG RIVERS ELECTRIC CORPORATION	)	
FOR A CERTIFICATE OF PUBLIC	)	
CONVENIENCE AND NECESSITY TO	)	Case No.
CONSTRUCT A 161 KV TRANSMISSION LINE,	)	2019-00270
AND A 345 KV TRANSMISSION LINE	)	
IN MEADE COUNTY, KENTUCKY	)	

**and**

**In the Matter of:**

ELECTRONIC APPLICATION OF	)	
BIG RIVERS ELECTRIC CORPORATION	)	
FOR A CERTIFICATE OF PUBLIC	)	Case No.
CONVENIENCE AND NECESSITY TO	)	2019-00417
CONSTRUCT A 345 KV TRANSMISSION LINE	)	
IN MEADE COUNTY, KENTUCKY	)	

**MOTION OF BIG RIVERS ELECTRIC CORPORATION FOR**  
**CONFIDENTIAL TREATMENT**

1. Big Rivers Electric Corporation (“*Big Rivers*”) hereby petitions the Kentucky Public Service Commission (“*Commission*”), pursuant to 807 KAR 5:001 Section 13 and KRS 61.878, to grant confidential treatment to certain information Big Rivers is filing with this motion.

2. The information for which Big Rivers seeks confidential treatment, hereinafter referred to as the “*Confidential Information*,” consists of detailed “as-built” drawings of transmission facilities being filed in response to Ordering

Paragraph No. 3 of the Commission's Order dated January 23, 2020, in Case No. 2020-00270, and to Ordering Paragraph No. 3 of the Commission's Order dated May 1, 2020, in Case No. 2020-00417.

3. Pursuant to the Commission's March 24, 2020, Order in *In the Matter of Electronic Emergency Docket Related to the Novel Coronavirus COVID-19*, Case No. 2020-00085 ("*Case No. 2020-00085*"), the drawings have been marked "CONFIDENTIAL" and are being filed with this motion by electronic mail.

4. There were no other parties to this proceeding on whom copies of this petition must be served. 807 KAR 5:001 Section 13(b).

5. The Confidential Information is not publicly available, is not disseminated within Big Rivers except to those employees and professionals with a legitimate business need to know and act upon the information, and is not disseminated to others without a legitimate need to know and act upon the information.

6. If and to the extent the Confidential Information becomes generally available to the public, whether through filings required by other agencies or otherwise, Big Rivers will notify the Commission and have its confidential status removed. *See* 807 KAR 5:001 Section 13(10)(b).

7. The Confidential Information is entitled to confidential protection based upon KRS 61.878(1)(m)(1), which protects "[p]ublic records the disclosure of which would have a reasonable likelihood of threatening the public safety by

exposing a vulnerability in preventing protecting against, mitigating, or responding to a terrorist act. . . .”

8. The Confidential Information consists of detailed information that depicts or describes the layout, configuration, and operation of critical energy infrastructure, specifically Big Rivers’ transmission facilities. If publically disclosed, this Confidential Information could be utilized to commit or further a terrorist act, including the intimidation or coercion of all or part of the civilian population and the disruption of public utility and other critical systems. The public release of such Confidential Information has a reasonable likelihood of threatening the public safety, particularly because it reflects detailed, precise, and highly technical information about the configuration and operations of valuable infrastructure upon which many individuals and businesses rely. Pursuant to KRS 61.878(1)(m), the records should be exempt from public disclosure.

9. On March 15, 2021, the Commission granted confidential treatment indefinitely on these grounds for system maps and drawings of the same transmission facilities in these proceedings.<sup>1</sup>

10. Furthermore, the Commission has granted confidential treatment indefinitely for similar system maps and drawings of Big Rivers’ transmission facilities, pursuant to KRS 61.878(1)(m). See, *In the Matter of: 2014 Integrated Resource Plan of Big Rivers Electric Corporation*, Order, P.S.C. Case No. 2014-

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<sup>1</sup> Big Rivers electronically submitted maps and drawings of the transmission facilities in response to Ordering Paragraph No. 2 of the Commission’s January 23, 2020 Order in Case No. 2019-00270 and to Ordering Paragraph No. 2 of the Commission’s May 1, 2020 Order in Case No. 2019-00417, on December 15, 2020.

00166 (August 26, 2014); *In the Matter of 2017 Integrated Resource Plan of Big Rivers Electric Corporation*, Order, P.S.C. Case No. 2017-00384 (April 25, 2019); *In the Matter of: Application of Big Rivers Electric Corporation for a Certificate of Public Convenience and Necessity to Construct Two 161 KV Transmission Lines in Hancock County, Kentucky*, Order, P.S.C. Case No. 2015-00051 (January 15, 2016).

11. Pursuant to 807 KAR 5:001 Section 13(2)(a)(2), Big Rivers requests that the Confidential Information protected by KRS 61.878(1)(m) remain confidential indefinitely because as long as the transmission system remains in place, the information should be confidential for the reasons stated above.

12. Based on the foregoing, the Confidential Information is entitled to confidential treatment pursuant to 807 KAR 5:001 Section 13 and KRS 61.878. If the Commission disagrees that Big Rivers' Confidential Information is entitled to confidential treatment, due process requires the Commission to hold an evidentiary hearing. *See Utility Regulatory Comm'n v. Kentucky Water Serv. Co., Inc.*, 642 S.W.2d 591 (Ky. App. 1982).

WHEREFORE, Big Rivers respectfully requests that the Commission grant this motion and classify and treat as confidential the Confidential Information.

On this the 18th day of August, 2022.

Respectfully submitted,

*/s/ Senthia Santana*

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