

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KENTUCKY-AMERICAN)
WATER COMPANY FOR AN ADJUSTMENT OF) CASE NO. 2012-00520
RATES SUPPORTED BY A FULLY FORECASTED)
TEST YEAR)

ORDER REGARDING REQUEST FOR CONFIDENTIAL TREATMENT

On January 23, 2013, Kentucky American Water Company (“Movant”) moved pursuant to 807 KAR 5:001, Section 13, that certain materials filed with the Commission be afforded confidential treatment and not be placed in the public record subject to public inspection.

In support of its motion, Movant states that the information it is requesting to be held confidential is contained in its Responses to the Commission’s First Request for Information, Items 3(a) and (c), 4(b), 16, and 18(c). The information is described as: Item 3(a) and (c) – work papers and calculations; Item 4(b) – internal accounting manuals, directives, policies and procedures; Item 16 – wage and compensation survey study; and Item 18(c) – level of incentive pay awarded to individuals.

Having carefully considered the motion and the materials at issue, the Commission finds that:

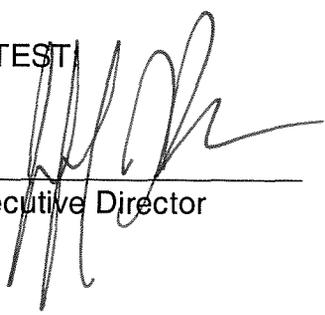
1. The materials for which Movant seeks confidential treatment meet the criteria for confidential treatment and are exempted from public disclosure pursuant to KRS 61.878(1)(a), 61.878(1)(c), and 807 KAR 5:001, Section 13.

2. The materials for which Movant seeks confidential treatment should not be placed in the public record or made available for public inspection in perpetuity.

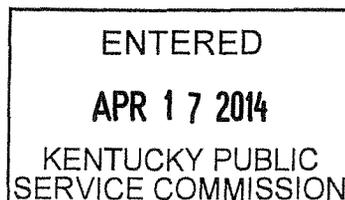
IT IS THEREFORE ORDERED that:

1. Movant's motion for confidential protection is hereby granted.
2. The materials for which Movant seeks confidential treatment shall not be placed in the public record or made available for public inspection in perpetuity.
3. Use of the materials in question in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).
4. Movant shall inform the Commission if the materials in question become publicly available or no longer qualify for confidential treatment.
5. If a non-party to this proceeding requests to inspect materials granted confidential treatment by this Order, the Movant shall have 20 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 Movant is unable to make such demonstration, the requested materials shall be made available for inspection. Otherwise the Commission shall deny the request for inspection.
6. The Commission shall not make the requested materials available for inspection for 20 days following an Order finding that the materials no longer qualify for confidential treatment in order to allow Movant to seek a remedy afforded by law.

ATTEST


Executive Director

By the Commission



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