

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF KENTUCKY)	
UTILITIES COMPANY FOR AN ADJUSTMENT OF)	CASE NO.
ITS ELECTRIC RATES AND APPROVAL OF)	2025-00113
CERTAIN REGULATORY AND ACCOUNTING)	
TREATMENTS)	

ORDER

On November 13, 2025, United States Department of Defense and all other Federal Executive Agencies (DOD/FEA) filed a petition, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878, requesting that the Commission grant confidential treatment for an indefinite time period or until such time as the copyright expires for several documents used in the preparation of its expert testimony, all of which are subject to copyright.

In support of its petition, DOD/FEA argued that all the items listed in Exhibit A¹ and produced in response to Commission Staff's Request for Information² were obtained through subscription services, including but not limited to S&P Global and Moody's. In addition, the materials may be subject to copyright protection as well.³ As such, the materials were subject to confidential treatment pursuant to KRS 61.878(1)(c)(1).

¹ Petition for Confidential Treatment (Petition) (filed Nov. 13, 2025), Exhibit A (filed May 26, 2026).

² Kentucky Utilities Company's Responses to Commission Staff's First Request for Information (filed Sept. 23, 2025).

³ Petition at unnumbered PDF pages 2-3.

Having considered the petition and the material at issue, the Commission finds that the materials set forth in Exhibit A are generally recognized as proprietary, which if openly disclosed would permit an unfair commercial advantage to competitors; the materials therefore meet the criteria for confidential treatment and should be exempted from public disclosure pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(c)(1) for an indefinite time period or until further Orders of the Commission.

IT IS THEREFORE ORDERED that:

1. DOD/FEA's November 13, 2025 petition 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 time 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. If the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment, DOD/FEA shall inform the Commission and file with the Commission an unredacted copy of the designated material.
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, DOD/FEA shall have 20 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 DOD/FEA 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 DOD/FEA to seek a remedy afforded by law.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

Entered on this 10th day of June, 2026.

PUBLIC SERVICE COMMISSION



Angie Hatton
Chair



Mary Pat Regan
Commissioner



Andrew W. Wood
Commissioner



Barry L. Mayfield
Commissioner

ATTEST:



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