COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF BLUEGRASS WATER UTILITY OPERATING COMPANY, LLC FOR AN ADJUSTMENT OF WATER AND SEWAGE RATES	))))	CASE NO. 2025-00354

O R D E R

This matter arises from three motions filed by Bluegrass Water Utility Operating Company, LLC (Bluegrass Water) pursuant to KRS 61.878 and 807 KAR 5:001, Section 13, requesting that the Commission grant confidential protection for numerous documents filed specifically to its responses to requests for information. Each individual motion is addressed below.

July 30, 2026 Motion

In its July 30, 2026 Motion, Bluegrass Water requested confidential treatment for portions of two attachments: Exhibit PSC 5-4 – Uncollectible Write-Offs and Exhibit PSC 5-6 – Issuance Dates provided in response to Commission Staff's Fifth Request for Information.[1] Bluegrass Water requested confidential treatment pursuant to KRS 61.878(a) and 807 KAR 5:001, Section 4(10) for Exhibit PSC 5-4-Uncollectible Write-Offs as it contains delinquent account balances categorized by customer account numbers.[2] Bluegrass Water argued that the account numbers should receive confidential protection

[1] Bluegrass Water's Motion for Confidential Treatment (July 30, 2026 Motion) (filed July 30, 2026) at 1.

[2] July 30, 2026 Motion at 2.

because disclosure would constitute an warranted invasion of personal privacy.[3] For that reason, Bluegrass Water requested that the identified portions receive confidential protection for an indefinite period of time.[4]

Bluegrass Water requested confidential treatment for Exhibit PSC 5-6 – Issuance Dates pursuant to KRS 61.878(1)(c)(1) for a five-year period.[5] Bluegrass Water stated that Exhibit PSC 5-6 – Issuance Dates contains proprietary information regarding loan obligations of Central States Water Resources' (CSWR) other affiliates.[6] Bluegrass Water argued that disclosure of this information would "harm CSWR and its affiliates by creating an imbalance of information with its competitors and lenders" by giving "a competitive advantage to lenders from whom CSWR may obtain financing in future processes and negotiations."[7]

Having considered the Motion and the material at issue, the Commission finds that Exhibit PSC 5-4 – Uncollectible Write-Offs contains information of a personal nature where the public disclosure thereof would constitute a clearly unwarranted invasion of personal privacy under KRS 61.878(1)(a) and should receive confidential protection indefinitely. Additionally, the Commission finds that Exhibit PSC 5-6 – Issuance Dates is generally recognized as confidential or proprietary the release of which may place Bluegrass Water at an unfair competitive disadvantage; it therefore meets the criteria for

[3] July 30, 2026 Motion at 2.

[4] July 30, 2026 Motion at 2.

[5] July 30, 2026 Motion at 3–4.

[6] July 30, 2026 Motion at 3.

[7] July 30, 2026 Motion at 3.

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 a five-year period.

September 11, 2026 Motion

In its September 11, 2026 Motion, Bluegrass Water requested confidential treatment for Exhibit PSC 7-11 – Delaplain Combined Annual Usage that it provided in response to Commission Staff's Seventh Request for Information.[8] Bluegrass Water stated that the attachment contains "information related to individual customers, including account numbers, addresses, and individual usage data."[9] Bluegrass Water argued that the information should receive confidential protection indefinitely pursuant to KRS 61.878(1)(a) as it contains customer usage data that would invade the privacy rights of its customers.[10] Bluegrass Water also argued that the attachment should be granted confidential protection pursuant to 61.878(1)(c)(1) as public disclosure "could allow the competitors of Bluegrass Water's customers to negotiate more favorable terms for themselves and create an imbalance of information with respect to the non-residential customers' operating costs."

Having considered the Motion and the material at issue, the Commission finds that Exhibit PSC 7-11 – Delaplain Combined Annual Usage contains information of a personal nature where the public disclosure thereof would constitute a clearly unwarranted invasion of personal privacy under KRS 61.878(1)(a) and should receive confidential protection indefinitely.

[8] Bluegrass Water's Motion for Confidential Treatment (September 11, 2026 Motion) (filed Sept. 11, 2026) at 1.

[9] September 11, 2026 Motion at 2.

[10] September 11, 2026 Motion at 2.

October 12, 2026 Motion

In its October 12, 2026 Motion, Bluegrass Water requested confidential treatment for nine exhibits provided in response to Commission Staff's Post-Hearing Request for Information and one exhibit provided in response to the Attorney General's Post-Hearing Request for Information.[11]

Bluegrass Water requested confidential treatment pursuant to KRS 61.878(1)(a)(1) for Exhibit PSC PHDR 45 – Penalty 30 Day Past Due Impact, Exhibit PSC PHDR 27 – KY Late Fees by Month April 2024-Sept 2026, and Exhibit PSC PHDR 21 – Complaint Log.[12] Bluegrass Water argued that these three attachments should receive confidential protection indefinitely as they each contain personal customer information, such as customer names, addresses, and account numbers.[13] Bluegrass Water argued that public disclosure of the information would result in an unwarranted invasion of privacy.[14]

Bluegrass Water also requested indefinite confidential treatment pursuant to KRS 61.878(1)(m)(1) for the entirety of Exhibit PSC PHDR 25 – Great Oaks Plans.[15] Bluegrass Water provided that the attachment contains "detailed diagrams of the treatment systems

[11] Bluegrass Water's Motion for Confidential Treatment (October 12, 2026 Motion) (filed Oct. 12, 2026) at 1-2.

[12] October 12, 2026 Motion at 3.

[13] October 12, 2026 Motion at 3 and 7.

[14] October 12, 2026 Motion at 3.

[15] October 12, 2026 Motion at 4 and 7.

in place at [Great Oaks]."[16] Additionally, Bluegrass Water stated that if the infrastructure locations are publicly disclosed, public safety could be threatened.[17]

Bluegrass Water requested confidential treatment pursuant to KRS 61.878(1)(a) for portions of Exhibit PSC PHDR 17 – Business Development Detail, Exhibit PSC PHDR 36 – Bonus Reason, Exhibit PSC PHDR 40(h) – Salaries, and Exhibit OAG PHDR 2 – Governmental Affairs that it provided in response to Commission Staff's Post-Hearing Request for Information and the Attorney General's Post-Hearing Request for Information.[18] Bluegrass Water explained that Exhibit PSC PHDR 17 provides the names and total amounts paid to CSWR non-executive business development employees; Exhibit PSC PHDR 36 contains the amount of bonuses awarded to non-executive employees; Exhibit PSC PHDR 40(h) contains salary and compensation information for Bluegrass Water employees; and Exhibit OAG PHDR 2 contains compensation information regarding CSWR's Director of National Regulatory Affairs.[19] Bluegrass Water argued that public disclosure of these exhibits would result in an unwarranted invasion of privacy for its employees and requested that they remain confidential for an indefinite period of time.[20]

Lastly, Bluegrass Water requested confidential treatment for Exhibit PSC PHDR 39(d) – Total Cost Account Listing and Exhibit PSC 39(b) – Cost Comparison pursuant to

[16] October 12, 2026 Motion at 4.

[17] October 12, 2026 Motion at 4.

[18] October 12, 2026 Motion at 4-5.

[19] October 12, 2026 Motion at 4-5.

[20] October 12, 2026 Motion at 5.

KRS 61.878(1)(c)(1).[21] Bluegrass Water provided that these exhibits contain "confidential and proprietary information relating to its internal study assess the financial implication of moving Bluegrass Water's third-party operations in-house."[22] Additionally, Bluegrass Water stated that the exhibits contain information that was already granted confidential treatment in this proceeding.[23] Bluegrass Water argued that this information, if publicly disclosed, would reveal the detailed assumptions about the inner workings of the company and projects costs of operations that would give competitors an advantage.[24] Bluegrass Water requested that the exhibits receive confidential protection for a period of five years.[25]

Having considered the Motion and the material at issue, the Commission finds that Exhibit PSC PHDR 45, Exhibit PSC PHDR 27, Exhibit PSC PHDR 21, Exhibit PSC PHDR 17, Exhibit PSC PHDR 36, Exhibit PSC PHDR 40(h), and Exhibit OAG PHDR 2 should be exempted from public disclosure pursuant to 807 KAR 5:001, Section 13 and KRS 61.878(1)(a) for an indefinite period as they contain information of a personal nature that disclosure would result in an unwarranted invasion of privacy. Further, the Commission finds that Exhibit PSC PHDR 25 should be confidential for an indefinite period of time pursuant to KRS 61.878(1)(m)(1) as it contains locations of critical infrastructure. Lastly, the Commission finds that Exhibit PSC PHDR 39(d) and Exhibit PSC PHDR 39(b) are generally recognized as confidential or proprietary; they therefore meet the criteria for

[21] October 12, 2026 Motion at 6.

[22] October 12, 2026 Motion at 6.

[23] October 12, 2026 Motion at 6.

[24] October 12, 2026 Motion at 6.

[25] October 12, 2026 Motion at 7.

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 a period of five years.

IT IS THEREFORE ORDERED that:

1. Bluegrass Water's July 30, 2026 Motion for confidential treatment is granted.

2. Bluegrass Water's September 11, 2026 Motion for confidential treatment is granted.

3. Bluegrass Water's October 12, 2026 Motion for confidential treatment is granted.

4. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for the periods discussed above with respect to each item for which confidential treatment was requested, or until further order of this Commission.

5. 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).

6. If the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment, Bluegrass Water shall inform the Commission and file with the Commission an unredacted copy of the designated material.

7. 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, Bluegrass Water 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 Bluegrass Water is unable to make such demonstration, the requested material shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

8. 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 Bluegrass Water to seek a remedy afforded by law.

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Entered on this 19th day of November, 2026.

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Chair

Mary Pat Regan
Vice Chair

Andrew W. Wood
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Barry L. Mayfield
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