

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF APACHE GAS	)	
TRANSMISSION COMPANY, INC. FOR A	)	
DECLARATORY ORDER RELATING TO ITS	)	CASE NO.
PIPELINE REPLACEMENT PROGRAM;	)	2026-00039
APPROVAL OF NEW PIPELINE REPLACEMENT	)	
SURCHARGE RATES; AND OTHER GENERAL	)	
RELIEF	)	

ORDER

On March 11, 2026, and May 8, 2026, Apache Gas Transmission Co., Inc. (Apache) filed motions, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878. These motions requested that the Commission grant confidential treatment for an indefinite period for maps provided in its application and again, in response to Commission Staff's First Request for Information (Staff's First Request), Item 3, Attachment.

March 11, 2026 Motion

Apache requested that the information be held confidential pursuant to KRS 61.878(1)(c)(1).¹ Apache stated that its application included items which involve the discussion or identification of information that is confidential and proprietary including maps of Apache's service area.² Apache additionally argued that the public disclosure of the confidential information would harm Apache's competitive position in the marketplace by offering competitors insights into operating costs, resource investment calculations,

¹ Motion for Confidential Treatment (March 11, 2026 Motion) (filed Mar. 11, 2026) at 1.

² March 11, 2026 Motion at 1.

anticipated load growth, the impact to future year revenue requirements, and system average costs of Apache that are not otherwise publicly available and would be to the detriment of Apache.³ Apache argued disclosure of the maps of Apache's service area would permit an unfair commercial advantage to third parties and present an unnecessary and unreasonable infringement upon Apache's legitimate privacy concerns.⁴ Apache argued that, if these maps are disclosed, the information could be utilized to commit or further a criminal or terrorist act, disrupt critical public utility systems, and/or intimidate or coerce the civilian population.⁵ Apache argued that the information could have a reasonable likelihood of threatening public safety and maintaining the confidentiality of the maps is necessary to protect the interests of Apache, its customers, and the region at large.⁶

Having considered the motion and the material at issue, the Commission finds Apache's motion should be denied without prejudice and that Apache should refile the request specifying what it is requesting to be included in the motion for confidential treatment. Apache filed the application and all exhibits in their entirety into the confidential record, but then also uploaded the same documents publicly, excepting the maps. It is unclear, beyond the maps, what documents Apache was requesting confidential treatment for. Furthermore, the arguments involving financial concerns do not appear to align with the basis Apache may argue for confidential treatment of the maps. Therefore,

³ March 11, 2026 Motion at 1-2.

⁴ March 11, 2026 Motion at 1.

⁵ March 11, 2026 Motion at 2.

⁶ March 11, 2026 Motion at 2.

Apache failed to meet its burden that the materials falls within the exclusions from disclosure requirements established in KRS 61.878 and Apache did not establish specific grounds for classification of that material as confidential.

May 8, 2026 Motion

Similarly, in its May 8, 2026 motion, Apache stated that its “responses to Commission Staff’s first request for information include items which involve the discussion or identification of information that is confidential and proprietary including maps provided in response to Request No. 3.”⁷ Apache highlighted KRS 61.878(1)(c)(1) and (1)(m). Apache argued that “the confidentiality of this information is critical to Apache’s effective execution of business decisions and strategy and safety of its facilities.”⁸ Apache argued that the maps provided in response to Staff’s First Request, Item 3, Attachment, should be confidential pursuant to KRS 61.878(1)(c)(1) and KRS 61.787(1)(m).⁹ Apache argued that these maps are disclosed, the information could be utilized to commit or further a criminal or terrorist act, disrupt critical public utility systems, and/or intimidate or coerce the civilian population.¹⁰ Apache argued that the information could have a reasonable likelihood of threatening public safety and maintaining the confidentiality of the maps is necessary to protect the interests of Apache, its customers, and the region at large.¹¹

Having considered the motion and the material at issue, the Commission finds Apache’s motion should be denied without prejudice and that Apache should refile the

⁷ Motion for Confidential Treatment (May 8, 2026 Motion) (filed May 8, 2026) at 1.

⁸ May 8, 2026 Motion at 1-2.

⁹ May 8, 2026 Motion at 3-4.

¹⁰ May 8, 2026 Motion at 3.

¹¹ May 8, 2026 Motion at 2.

request specifying what it is requesting to be included for confidential treatment. Apache filed several items as confidential; however, only the maps are referenced in the motion. It is unclear, beyond the maps, what Apache was requesting confidential treatment for. Therefore, Apache failed to meet their burden that the materials falls within the exclusions from disclosure requirements established in KRS 61.878 did not establish specific grounds for classification of that material as confidential.

IT IS THEREFORE ORDERED that:

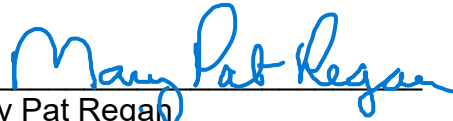
1. Apache's March 11, 2026 motion for confidential treatment is denied without prejudice.
2. Apache's May 8, 2026 motion for confidential treatment is denied without prejudice.
3. Apache shall re-file its March 11, 2026 and May 6, 2026 motions specifying what it is requesting be included for confidential treatment and the specific grounds for the confidential treatment for each item within 30 days of this Order.

Entered on this 27th day of August, 2026.

PUBLIC SERVICE COMMISSION



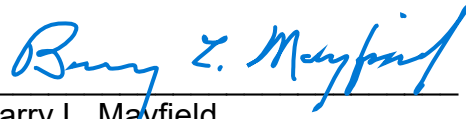
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Chair



Mary Pat Regan
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Barry L. Mayfield
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Justin McNeil
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