

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

**In the Matter of:**

**APPLICATION OF KENTUCKY UTILITIES )**  
**COMPANY FOR AN ADJUSTMENT OF ITS ) CASE NO. 2012-00221**  
**ELECTRIC RATES )**

**In the Matter of:**

**APPLICATION OF LOUISVILLE GAS AND )**  
**ELECTRIC COMPANY FOR AN ) CASE NO. 2012-00222**  
**ADJUSTMENT OF ITS ELECTRIC AND GAS )**  
**RATES, A CERTIFICATE OF PUBLIC )**  
**CONVENIENCE AND NECESSITY, )**  
**APPROVAL OF OWNERSHIP OF GAS )**  
**SERVICE LINES AND RISERS, AND A GAS )**  
**LINE SURCHARGE )**

**JOINT PETITION OF KENTUCKY UTILITIES COMPANY  
AND LOUISVILLE GAS AND ELECTRIC COMPANY  
FOR CONFIDENTIAL PROTECTION**

Kentucky Utilities Company (“KU”) and Louisville Gas and Electric Company (“LG&E”) (collectively “Companies”) hereby petition the Kentucky Public Service Commission (“Commission”) pursuant to 807 KAR 5:001, Section 7 and KRS 61.878(1) to grant confidential protection for the information described herein, which the Companies are providing in their Joint Response to Information Requested at Hearing Data Request No. 5 (the “Confidential Information”). In support of this Petition, the Companies state as follows:

1. The Kentucky Open Records Act exempts from disclosure certain commercial information. KRS 61.878(1)(c). To qualify for the exemption and, therefore, maintain the confidentiality of the information, a party must establish that the material is of a kind generally recognized to be confidential or proprietary, and the disclosure of which would permit an unfair commercial advantage to competitors of the party seeking confidentiality.

2. Information Requested at Hearing Data Request No. 5 asks the Companies to provide a breakdown of the annual generation expenditures by generating unit and provide the specific projects at each generating unit. The Companies are providing the requested information, which is confidential and commercially sensitive. In particular, publicly releasing these detailed anticipated expenditures could compromise the Companies' ability to secure the most competitive bids to perform the work described in the Companies' response, which would result in harm to the Companies and their customers.

3. If the Commission disagrees with this request for confidential protection, it must hold an evidentiary hearing (a) to protect the Companies' due process rights and (b) to supply with the Commission with a complete record to enable it to reach a decision with regard to this matter. Utility Regulatory Commission v. Kentucky Water Service Company, Inc., 642 S.W.2d 591, 592-94 (Ky. App. 1982).

4. The information for which the Companies are seeking confidential treatment is not known outside of KU and LG&E, is not disseminated within KU and LG&E except to those employees with a legitimate business need to know and act upon the information, and is generally recognized as confidential and proprietary information in the energy industry.

5. To satisfy the provisions of the Commission's June 22, 2012 Order in this proceeding concerning electronic filing procedures with respect to the Confidential Information responsive to Request No. 5, the Companies will timely file with the Commission one paper copy of the Confidential Information and one copy of the Confidential Information in electronic medium on a DVD-ROM or CD-ROM.

**WHEREFORE**, Kentucky Utilities Company and Louisville Gas and Electric Company respectfully request that the Commission grant confidential protection for the information described herein.

Dated: December 4, 2012

Respectfully submitted,



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**CERTIFICATE OF COMPLIANCE**

In accordance with Ordering Paragraph No. 10 of the Commission's June 22, 2012 Order, this is to certify that Kentucky Utilities Company and Louisville Gas and Electric Company's December 4, 2012 electronic filing of the foregoing is a true and accurate copy of the same document being filed in paper medium; that the electronic filing has been transmitted to the Commission on December 4, 2012; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; and that an original and two copies in paper medium of this filing were placed in the U.S. Mail, postage prepaid, on December 4, 2012 to be delivered to the Commission.



*Counsel for Kentucky Utilities Company and  
Louisville Gas and Electric Company*