

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION OF KENTUCKY

In the Matter of:

Application of Water Service Corporation	)	
of Kentucky for a General Adjustment	)	Case No. 2013-00237
in Existing Rates	)	

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**WATER SERVICE CORPORATION OF KENTUCKY’S  
PETITION FOR CONFIDENTIALITY**

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Water Service Corporation of Kentucky (“WSCK”) (collectively “Applicants”), pursuant to 807 KAR 5:001, Section 7, respectfully request the Public Service Commission grant confidential protection to certain information provided in response to Item 11 of the Commission Staff’s First Request for Information. In support of its motion, WSCK states as follows:

Administrative Regulation 807 KAR 5:001, Section 13, indicates that the Commission shall grant confidential treatment for records that would be exempt from KRS 61.878 of the Kentucky Open Records Act. KRS 61.878(1)(a) protects information of a personal nature from being disclosed by a public agency. The Kentucky Court of Appeals has identified an individual’s salary as information of a personal nature. See Zink v. Department of Workers’ Claims, Labor Cabinet, 902 S.W.2d 825, 828 (Ky. App. 1994) (stating that “information such as ... wage rate ... [is] generally accepted by society as [a] detail [] in which an individual has at least some expectation of privacy.”)

In Item 11 of the Commission Staff’s First Request for Information, Staff has requested that WSCK identify its employees’ names and their salaries. Because this information is of a

personal nature, it is entitled to confidential treatment under Zink and other relevant law. In fact, the Public Service Commission has made this determination in previous cases. See Letter from Jeff DeRouen, Executive Director of the Public Service Commission, to John N. Hughes, counsel for WSCK (Apr. 24, 2009)(copy attached).

Accordingly, WSCK respectfully requests confidential treatment of information mentioned above.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "M. Todd Osterloh", written over a horizontal line.

M. TODD OSTERLOH  
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