

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

JOINT APPLICATION OF LOUISVILLE GAS)	
AND ELECTRIC COMPANY AND KENTUCKY)	
UTILITIES COMPANY FOR A CERTIFICATE)	
OF PUBLIC CONVENIENCE AND NECESSITY)	CASE NO. 2014-00002
FOR THE CONSTRUCTION OF A COMBINED)	
CYCLE COMBUSTION TURBINE AT THE)	
GREEN RIVER GENERATING STATION AND A)	
SOLAR PHOTOVOLTAIC FACILITY AT THE)	
E.W. BROWN GENERATING STATION)	

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

Joint Applicants, Louisville Gas and Electric Company (“LG&E”) and Kentucky Utilities Company (“KU”) (collectively, the “Companies”), petition the Kentucky Public Service Commission (“Commission”) pursuant to 807 KAR 5:001, Section 13 and KRS 61.878 to grant confidential protection for the items described herein. The Companies seek confidential protection of the responses to: Item 10 of the Commission Staff’s Second Request for Information; Items 31, 34, 35, 37, 43, 56, 57, 62 and 63 of the Attorney General’s Supplemental Requests for Information; Items 1, 4, 18 and 19 of Kentucky Industrial Utility Customers’ Supplemental Set of Data Requests; and Items 2, 7, 24, 31, 32, 33, 34, and 37 of Wallace McMullen and Sierra Club’s Supplemental Data Requests. In support of this Joint 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. In support of their Joint Application in this matter, the Companies have submitted the Direct Testimony of David S. Sinclair and the Companies' Resource Assessment, Exhibit DSS-1 to his testimony. By petition of January 17, 2014, the Companies sought confidential protection of portions of Mr. Sinclair's testimony and Exhibit DSS-1 because those portions: (1) describe the process by which the Companies determined the least reasonable cost solution for meeting their electric generation needs; (2) reveal the identity of bidders and the substance of bids received by the Companies from those who responded to the Companies' September 2012 Request for Proposals ("RFP") by which the Companies sought and received numerous proposals to meet their generation needs; (3) contain information about the process the Companies used to evaluate and rank the bids; and (4) contain information about projected fuel and other variable costs. All of this information is commercially sensitive and confidential, the disclosure of which would work to the competitive disadvantage of the Companies, and, in the case of information about the bidders, the disclosure would work to their competitive disadvantage as well. Although the Commission has not ruled on the January 17, 2014 petition, the Companies seek confidential protection of the responses referenced above for these same reasons and pursuant to KRS 61.878(1)(c). The confidential portions of the responses and/or their attachments have been redacted and highlighted in accordance with 807 KAR 5:001, Section 13(2)(a)(3).

3. If the Commission disagrees with any of these requests for confidential protection, however, it must hold an evidentiary hearing (a) to protect the Companies' due process rights and (b) to supply 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 pursuant to KRS 61.878(c) is not known outside of the Companies (or the bidders with respect to confidential information supplied to the Companies by the bidders), is not disseminated within the Companies 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.

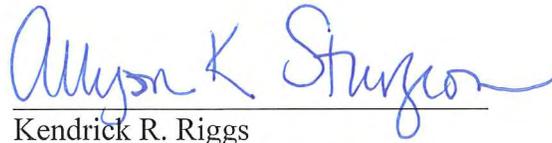
5. The Companies will disclose the confidential information pursuant to a confidentiality agreement, to intervenors and others with a legitimate interest in this information and as required by the Commission.

6. In compliance with 807 KAR 5:001 § 13(2)(e) and 8(3), the Companies are filing with the Commission one paper copy that identifies by highlighting the information for which confidential protection is sought and one electronic copy with the same information obscured. The Companies request that the information be kept confidential for at least five years from the date of this filing as that is the amount of time necessary before the confidential information becomes dated to the point that the need for protection no longer exists.

WHEREFORE, the Companies respectfully request that the Commission grant confidential protection for the information described herein.

Dated: April 24, 2014

Respectfully submitted,



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CERTIFICATE OF SERVICE

This is to certify that Louisville Gas and Electric Company and Kentucky Utilities Company's April 24, 2014 electronic copy of this Joint Petition for Confidential Protection and related documents is a true and accurate copy of the documents being filed in paper medium, with the exception that unobscured versions of the documents are not being filed in electronic format under 807 KAR 5:001 § 13(2)(e); that the electronic filing was transmitted to the Commission on April 24, 2014; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; that a copy of the filing in paper medium is being hand-delivered to the Commission within two business days of this filing; and that on April 24, 2014, electronic mail notification of the electronic filing will be provided to the following:

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