

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 certain portions of David S. Sinclair’s August 22, 2014 Supplemental Testimony and Exhibit DSS-3 to that testimony. 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, the disclosure of which would place the party seeking confidentiality at an unfair commercial advantage.

2. In continued support of their Joint Application in this matter, the Companies are submitting herewith the Supplemental Testimony of David S. Sinclair. That testimony and Exhibit DSS-3 to the testimony contain a range of specific present value revenue requirement (“PVRR”) calculations that are based, in part, on the Companies’ ability to market renewable energy certificates (“RECs”) in the REC marketplace. The range of PVRR calculations shows the various economics that result from various price points for RECs, including what would be a “break-even” REC price point for the Companies. To the extent others in the REC marketplace have access to the REC pricing assumptions, such access would work to the Companies’ competitive disadvantage. Thus, REC pricing information is commercially sensitive and should be treated confidentially pursuant to KRS 61.878(1)(c). The confidential portions of Mr. Sinclair’s Supplemental Testimony and Exhibit DSS-3 have been redacted and highlighted in accordance with 807 KAR 5:001, Section 13(2)(a)(3).

3. If the Commission disagrees with this request 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(1)(c) is not known outside of the Companies, 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, Sections 8(3) and 13(2)(e), 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: August 22, 2014

Respectfully submitted,



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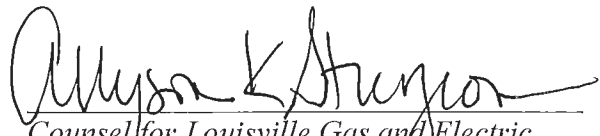
CERTIFICATE OF SERVICE

This is to certify that Louisville Gas and Electric Company and Kentucky Utilities Company's August 22, 2014 electronic filing 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, Section 13(2)(e); that the electronic filing was transmitted to the Commission on August 22, 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 August 22, 2014, electronic mail notification of the electronic filing will be provided to the following:

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