

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF LOUISVILLE GAS AND)	
ELECTRIC COMPANY AND KENTUCKY)	
UTILITIES COMPANY FOR A DECLARATORY)	CASE NO. 2014-00321
ORDER AND APPROVAL PURSUANT TO)	
KRS 278.300 FOR A CAPACITY PURCHASE)	
AND TOLLING AGREEMENT)	

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 response to Item 6 of the Commission Staff’s Initial Request for Information dated October 10, 2014 (“PSC 1-6”).

In support of this Joint Petition, the Companies state as follows:

1. The Kentucky Open Records Act exempts from disclosure certain information, the disclosure of which would have a reasonable likelihood of threatening the public safety. KRS 61.878(1)(m). Included within this exception from disclosure are “[i]nfrastructure records that expose a vulnerability ... through the disclosure of the location, configuration, or security of critical systems, including public utility critical systems.” KRS 61.878(1)(m)(1)(f).

2. The Companies’ response to Item 6 is a diagram showing details of LG&E’s transmission system and interconnection with Bluegrass Generation Company, LLC. Within the utility industry, this type of information is generally recognized as confidential for the reasons set out in KRS 61.878(1)(m), and is not widely disclosed within the Companies except to those

who have a need to know and act with regard to these facilities. The Companies believe that public disclosure of this information concerning the location and configuration of its public utility critical systems would therefore present a threat to the public safety, and that the Commission should grant confidential protection for this information.

3. Because the threat to public safety will exist as long as the transmission facilities exist, the Companies request that the information concerning LG&E's transmission system and interconnection be kept confidential for an indefinite period.

4. 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).

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 unless (a) otherwise noted herein or (b) in accordance with a request to Commission Staff upon permission from Commission Staff.

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

Dated: October 17, 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 October 17, 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; that the electronic filing was transmitted to the Commission on October 17, 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.



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