

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

**In the Matter of:**

|                                    |   |                            |
|------------------------------------|---|----------------------------|
| <b>APPLICATION OF NORTHERN</b>     | ) |                            |
| <b>KENTUCKY WATER DISTRICT FOR</b> | ) | <b>Case No. 2015-00143</b> |
| <b>AN ADJUSTMENT OF RATES</b>      | ) |                            |

**PETITION FOR CONFIDENTIALITY AND TO FILE ELECTRONIC COPY**

Northern Kentucky Water District (NKWD), by counsel, petitions the Commission ("Commission"), pursuant to 807 KAR 5:001, Section 13, and all other applicable law, for confidential treatment of the entire Asset Management Program Report (AMP) requested at the hearing by the Staff. The information in the AMP contains strategic analysis of the NKWD distribution and transmission systems, including diagrams and maps of the system. NKWD also requests that a PDF electronic copy of the AMP be accepted in lieu of a paper copy given its voluminous nature.

KRS Chapter 61 requires information filed with the Commission to be available for public inspection unless specifically exempted by statute. Exemptions from public disclosure of the information relevant to this petition are provided in KRS 61.878(1)(m). Under the Kentucky Open Records Act, the Commission is entitled to withhold from public disclosure information disclosed to it to the extent that open disclosure would "have a reasonable likelihood of threatening the public safety by exposing a vulnerability

in preventing, protecting against, mitigating, or responding to a terrorist act and limited to: . . . ,

(f) infrastructure records that expose a vulnerability referred to in this subparagraph through the disclosure of the location, configuration, or security of critical systems, including public utility critical systems. These critical systems shall include but not be limited to information technology, communications, electrical, fire suppression, ventilation, **water**, wastewater, sewage, and gas systems and;

(g) The following records when their disclosure will expose a vulnerability referred to in this subparagraph: **detailed drawings, schematics, maps, or specifications of structural elements**, floor plans, and operating, utility, or security systems of any building or facility owned, occupied, leased, or maintained by a public agency."

This Commission has recognized that similar reports with diagrams and maps "are infrastructure records that disclose the location, configuration, or security of public utility systems" and therefore, should be treated as confidential. See Case No. 2014-00166 *In the Matter of 2104 Integrated Resource Plan of Big Rivers Electric Corporation*, KY PSC Order, p. 7 (August 26, 2014).

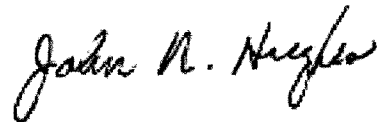
The information contained in the specified document may provide detailed information about NKWD's distributions system and the location of critical components; as such, the disclosure of which could threaten the public safety generally and provide sensitive information relevant to the security against terroristic events. NKWD petitions the Commission to classify as confidential and protect from public disclosure the requested report.

The information for which the Company is seeking confidential treatment is not disseminated within the Company 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 industry.

If the Commission disagrees with this request for confidential protection, NKWD requests that it hold an evidentiary hearing (a) to protect the Company's 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., Ky. App., 642 S.W.2d 591, 592-94 (1982).

NKWD requests that the information referenced herein be kept confidential for an indefinite period.

For these reasons, NKWD petitions the Commission to treat as confidential, indefinitely, the information referenced in this petition in its entirety



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