

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. 2015-00382
in Existing Rates)	

PETITION FOR CONFIDENTIALITY

Water Service Corporation of Kentucky (“WSCK”), pursuant to 807 KAR 5:001, Section 13, respectfully request the Public Service Commission to grant confidential protection to documents it filed in response to Item 38 of Commission Staff’s Second Request for Information. Specifically, WSCK seeks confidential treatment of the two credit agreements that are being filed in response to the Commission Staff’s request.

Administrative Regulation 807 KAR 5:001, Section 13(2) sets forth a procedure by which certain information filed with the Commission shall be treated as confidential. Specifically, the party seeking confidential treatment must establish “specific grounds pursuant to KRS 61.878 for classification of that material as confidential.” 807 KAR 5:001, Section 13(2)(a)(1).

Paragraph (c) of KRS 61.878(1) protects information that is confidential or proprietary. The information for which confidential treatment is sought is generally recognized as confidential or proprietary under Kentucky law. It contains terms and conditions under which Utilities, Inc. (“UI”)—WSCK’s corporate parent—has obtained financing. It has specific interest rates and loan terms on which UI can receive financing.

More importantly, disclosure of this information to WSK's and UI's competitors would grant those competitors an unfair commercial advantage. The open disclosure of such interest rates and loan terms could arm lenders with information that could allow such lenders an unfair commercial advantage over WSK and UI resulting in higher interest rates and other more restrictive and detrimental conditions than would otherwise be the case if the information was not publicly disclosed. Accordingly, this information should be protected from public disclosure pursuant to KRS 61.878(1)(c)

The Commission has previously granted requests for confidentiality on similar credit agreements. See, e.g., East Kentucky Power Coop., Inc., Case No. 2011-00204 (Ky. PSC Staff Letter Oct. 11, 2011). As such, UI's credit agreements should be granted confidential treatment for a permanent period of time.

Respectfully submitted,



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