

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF)	
LOUISVILLE GAS AND ELECTRIC)	
COMPANY FOR A DECLARATORY ORDER)	CASE NO. 2016-00317
REGARDING THE PROPER METHOD OF)	
MUNICIPAL FRANCHISE FEE RECOVERY)	

PETITION OF LOUISVILLE GAS AND ELECTRIC COMPANY
FOR CONFIDENTIAL PROTECTION

Louisville Gas and Electric Company (“LG&E” or the “Company”) hereby petitions the Kentucky Public Service Commission (“Commission”) pursuant to 807 KAR 5:001, Section 13 and KRS 61.878(1) to grant confidential protection for the maps described herein, which LG&E seeks to provide in its supplemental response to Item No. 1-1 of Louisville/Jefferson County Metro Government’s (“Louisville Metro”) Initial Request for Information.

Critical Energy Infrastructure Information (KRS 61.878(1)(m))

1. KRS 61.878(1)(m)(1) exempts from disclosure public records that have a reasonable likelihood of threatening public safety by exposing a vulnerability, such as infrastructure records that disclose the “location, configuration, or security of critical systems,” including gas systems. The Commission has previously granted confidential protection to Critical Energy Infrastructure Information.¹

2. The Supplemental Response to Item 1-1 includes maps showing LG&E’s high pressure transmission pipelines in Jefferson County and all distribution pipelines (excluding service lines) of any pressure crossing the Jefferson County line. The maps also include design

¹ *In the Matter of: Application of Kentucky Utilities Company for an Adjustment of its Electric Rates*, Case No. 2014-00371, Order Regarding Request for Confidential Treatment to AG’s Initial Request for Information (Ky. PSC Dec. 2, 2015).

day direction of flow and flow volumes. The map titled “LG&E High Pressure System” is a schematic of LG&E’s entire high pressure system and the map titled “Jefferson County Detail” is a more detailed schematic of Jefferson County, which includes the non-high pressure distribution mains crossing the Jefferson County border and the home rule municipalities in Jefferson County. The disclosure of the maps provided in the Company's supplemental response to Item 1-1 would be useful to anyone seeking to threaten or harm the public safety by a terrorist act. LG&E requests that the Commission protect from public disclosure the entirety of the maps provided in its supplemental response to Item 1-1.

3. The information for which LG&E is seeking confidential treatment is not known outside of LG&E, and it is not disseminated within LG&E except to those employees with a legitimate business need to know the information.

4. LG&E will disclose the confidential information, pursuant to a confidentiality agreement, to intervenors with a legitimate interest in this information and as required by the Commission.

5. If the Commission disagrees with this request for confidential protection, however, it must hold an evidentiary hearing (a) to protect LG&E’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.²

6. Pursuant to 807 KAR 5:001, Section 13(2)(a)(3)(b), confidential treatment is sought for the maps produced in the Company's Supplemental Response to Item 1-1. As required by 807 KAR 5:001, Section 13(2)(a)(3)(b), written notification that the maps in their entirety are confidential is filed in lieu of highlighting.

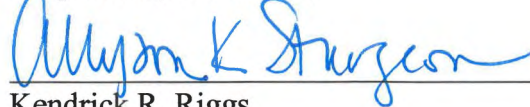
² *Utility Regulatory Commission v. Kentucky Water Service Company, Inc.*, 642 S.W.2d 591, 592-94 (Ky. App. 1982).

7. Due to the serious security concerns related to the disclosure of Critical Energy Infrastructure Information, the Company requests that the maps provided in its Supplemental Response to Item No. 1-1 remain confidential indefinitely.

WHEREFORE, Louisville Gas and Electric Company respectfully requests that the Commission grant confidential protection for the information described herein.

Dated: May 26, 2017

Respectfully submitted,



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CERTIFICATE OF SERVICE

This is to certify that Louisville Gas and Electric Company's May 26, 2017 electronic filing of the Petition for Confidential Protection is a true and accurate copy of the same document being filed in paper medium; that the electronic filing has been transmitted to the Commission on May 26, 2017; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; and that an original in paper medium of the Petition and an unobscured copy of the material for which confidentiality is sought sealed in an opaque envelope will be delivered to the Commission within two business days.



Counsel for Louisville Gas and Electric Company