

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

**In the Matter of:**

<b>APPLICATION OF LOUISVILLE GAS AND</b>	)	
<b>ELECTRIC COMPANY FOR APPROVAL OF</b>	)	<b>CASE NO.</b>
<b>STATE WAIVER OF THE REASSESSMENT</b>	)	<b>2016-00386</b>
<b>INTERVAL REQUIRED BY 49 C.F.R. § 192.939</b>	)	

**PETITION OF LOUISVILLE GAS AND ELECTRIC COMPANY**  
**FOR CONFIDENTIAL PROTECTION**

Louisville Gas and Electric Company (“LG&E”), pursuant to 807 KAR 5:001, Section 13, respectfully petitions the Commission to classify as confidential and protect from public disclosure certain information provided by LG&E in response to Question No. 2 of the Commission Staff’s First Request for Information dated February 17, 2017. The information for which LG&E requests confidential treatment (“Confidential Information”) pertains to pricing information for the use of an in-line inspection ("ILI") tool.

In support of this Petition, LG&E states as follows:

1. Under the Kentucky Open Records Act, the Commission is entitled to withhold from public disclosure information confidentially disclosed to it to the extent that open disclosure would permit an unfair commercial advantage to competitors of the entity disclosing the information to the Commission. See KRS 61.878(1)(c). Public disclosure of the information identified herein would, in fact, prompt such a result for the reasons set forth below.

2. Public disclosure of such pricing information would hinder the Companies' ability to receive the best proposals and procure the best contract terms in future negotiations.

Counterparties in a competitive market do not want sensitive pricing information to be publically disclosed, to be used against them in their future negotiations with other customers or by their competitors. Counterparties are more likely to provide proposals and enter contracts when they know that sensitive terms such as pricing will not be known to their competitors or their other customers. Those entities, and others who might make proposals to the Companies in the future, would not favor public disclosure of this information, and may be less willing to make proposals or respond to requests for proposals, or to offer the Companies concessions. Diminishing the Companies' ability to receive the best proposals and contract for the best possible terms would harm the Companies and their customers through increased costs of service. This information should therefore be afforded confidential protection to protect the Companies and their customers. The Commission has treated similar pricing information confidential in the past.<sup>1</sup>

3. The information for which LG&E is seeking confidential treatment is not known outside of LG&E, is not disseminated within LG&E 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.

4. LG&E does not object to limited disclosure of the confidential information described herein, pursuant to an acceptable protective agreement, to intervenors with legitimate interests in reviewing the same for the purpose of participating in this case.

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<sup>1</sup> *In the Matter of: Application of Louisville Gas and Electric Company and Kentucky Utilities Company to Install and Operate Electric Charging Stations in their Certified Territories, for Approval of an Electric Vehicle Supply Equipment Rider, an Electric Vehicle Supply Equipment Rate, an Electric Vehicle Charging Rate, Depreciation Rate, and for a Deviation from the Requirements of Certain Commission Regulations*, Case No. 2015-00355 (Order of March 31, 2016).

5. In accordance with the provisions of 807 KAR 5:001, Section 13, LG&E is filing with the Commission one copy of the Confidential Information highlighted and one (1) copy without the Confidential Information.

**WHEREFORE**, Louisville Gas and Electric Company respectfully requests the Commission grant confidential protection to the information designated as confidential in response to Question No. 2 for a period of five years from the date of filing the same.

Dated: March 3, 2017

Respectfully submitted,



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