

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC PROPOSED ADJUSTMENT OF)
THE WHOLESALE WATER SERVICE RATES OF) CASE NO. 2017-00199
CENTRAL CITY MUNICIPAL WATER & SEWER)

**CITY OF CENTRAL CITY'S
PETITION FOR CONFIDENTIAL PROTECTION**

The City of Central City (“Central City”), by counsel, 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 portions of documents produced in response to Item 10 of the Commission Staff’s First Request for Information. In support of its petition, Central City states as follows:

Administrative Regulation 807 KAR 5:001, Section 13, indicates that the Commission shall grant confidential treatment for records that would be exempt from KRS 61.878 of the Kentucky Open Records Act. KRS 61.878(1)(a) protects information of a personal nature from being disclosed by a public agency.

Item 10 of the Commission Staff’s First Request for Information seeks certain information related to the insurance benefits received by Central City employees, as well as type of insurance plans and premiums paid by employees. This is clearly the type of information that “would constitute a clearly unwarranted invasion of personal privacy” and, therefore, exempt under KRS 61.878(1)(a). By disclosing the type of insurance certain employees choose,

individuals can learn the marital status and whether an employee has children. Likewise, the disclosure of premiums paid by employees is no different than exempted information on a payroll voucher. These issues were directly addressed in an Attorney General's Opinion involving Owensboro Municipal Utilities, in which the Attorney General found that those items were exempt from disclosure pursuant to the Open Records Act. See 07-ORD-056 (Apr. 10, 2007), *available at* 2007 WL 1231570.

Accordingly, Central City requests confidential treatment of information mentioned above in perpetuity, as this information is no less personal through the passage of time.

Respectfully submitted,

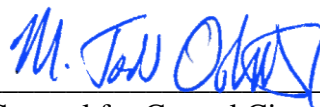


M. TODD OSTERLOH
JAMES W. GARDNER
STURGILL, TURNER, BARKER & MOLONEY, PLLC
333 W. Vine Street, Suite 1500
Lexington, Kentucky 40507
Telephone No.: (859) 255-8581
tosterloh@sturgillturner.com

ATTORNEYS FOR CITY OF CENTRAL CITY

CERTIFICATE OF SERVICE

In accordance with 807 KAR 5:001, Section 8, I certify that the July 31, 2017, electronic filing of this Petition for Confidential Treatment is a true and accurate copy of the same document being filed in paper medium; that the electronic filing will be transmitted to the Commission on July 31, 2017; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; and that an original paper medium of the Petition for Confidential Treatment will be delivered to the Commission within two business days.



Counsel for Central City