

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC JOINT APPLICATION OF)	
LOUISVILLE GAS AND ELECTRIC)	
COMPANY AND KENTUCKY UTILITIES)	
COMPANY FOR CERTIFICATES OF PUBLIC)	CASE NO. 2018-00005
CONVENIENCE AND NECESSITY FOR FULL)	
DEPLOYMENT OF ADVANCED METERING)	
SYSTEMS)	

RESPONSE OF
LOUISVILLE GAS AND ELECTRIC COMPANY
AND
KENTUCKY UTILITIES COMPANY
TO METROPOLITAN HOUSING COALITION'S
SUPPLEMENTAL DATA REQUESTS FOR INFORMATION
DATED APRIL 27, 2018

FILED: MAY 11, 2018

VERIFICATION

COMMONWEALTH OF KENTUCKY)
) **SS:**
COUNTY OF JEFFERSON)

The undersigned, **Rick E. Lovekamp**, being duly sworn, deposes and says that he is Manager – Regulatory Strategy/Policy for Louisville Gas and Electric Company and Kentucky Utilities Company, an employee of LG&E and KU Services Company, and that he has personal knowledge of the matters set forth in the responses for which he is identified as the witness, and the answers contained therein are true and correct to the best of his information, knowledge and belief.

Rick E. Lovekamp

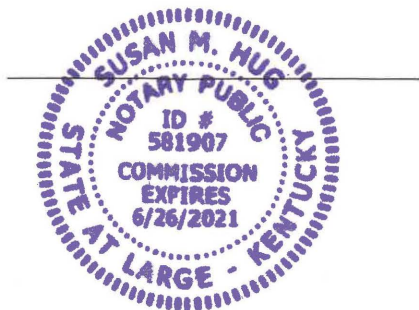
Rick E. Lovekamp

Subscribed and sworn to before me, a Notary Public in and before said County and State, this 10th day of May 2018.

Susan M. Hug (SEAL)

Notary Public

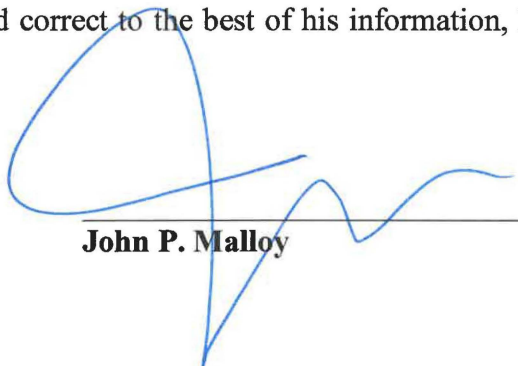
My Commission Expires:



VERIFICATION

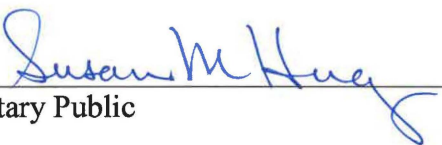
COMMONWEALTH OF KENTUCKY)
) SS:
COUNTY OF JEFFERSON)

The undersigned, **John P. Malloy**, being duly sworn, deposes and says that he is Vice President – Gas Distribution for Louisville Gas and Electric Company and an employee of LG&E and KU Services Company, and that he has personal knowledge of the matters set forth in the responses for which he is identified as the witness, and the answers contained therein are true and correct to the best of his information, knowledge and belief.



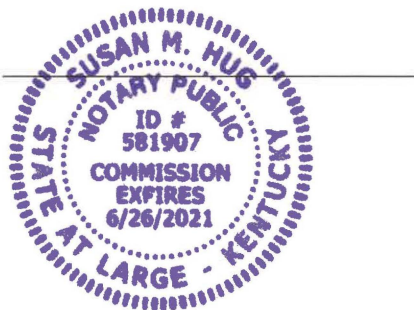
John P. Malloy

Subscribed and sworn to before me, a Notary Public in and before said County and State, this 11th day of May _____ 2018.



Notary Public (SEAL)

My Commission Expires:



**Louisville Gas and Electric Company and Kentucky Utilities Company
Response to Metropolitan Housing Coalition's
Supplemental Data Requests for Information
Dated April 27, 2018**

Case No. 2018-00005

Question No. 1

Witness: Rick E. Lovekamp / Counsel

- Q-1. In answer to Question 19 of the First Set of Data Requests, "since Advance Metering is in use, this information should be available to LG&E. Will the change in the way data on utility usage is collected through Advanced Metering make utility usage by a customer more accessible to law enforcement, government agencies or any other group than is currently the case?", LG&E referred to their company policy at <https://lge-ku.com/privacy>. That policy says that LG&E will share information if there is a court order, subpoena or other compulsory process or by operation by law.
- a. How many times in the last five years was there a court order or subpoena or other compulsory process to share information and what were the case name and number?
 - b. What is the internal process for LG&E to respond to the court order or subpoena or other compulsory process to share information, and to decide whether or not to provide that information?
 - c. Was notice sent to the customer when a court order or subpoena was received that would potentially result in disclosure of that customers' information?
 - d. What is the company policy of notifying the customer when there is a court order or subpoena or other compulsory order to share information?
 - e. What is the process of notifying the customer when there is a court order or subpoena or other compulsory order to share information?
 - f. Is disclosure of the information postponed for a period of time in order to allow the customer to determine whether to seek administrative or judicial relief against such disclosure?
 - g. Has LG&E contested any court order, subpoena or other compulsory process in the last five years?
 1. If the answer was yes, what were the case names and numbers?

2. If the answer was yes, what were the grounds for contesting?

A-1.

- a. The requested information is shown in the table below for the calendar years 2014 through 2018. Information for calendar year 2013 is not readily available. The Companies do not have a central repository for all subpoenas but have made reasonable efforts to identify the accurate number of subpoenas from the various sources who house them. Furthermore, the Companies do not internally track or identify subpoenas by case names or numbers, as the vast majority of the subpoenas received by the Companies do not originate from an existing court case and thus do not have a corresponding name and number. The majority of subpoenas the Companies receive are in the context of criminal or other governmental investigations. For instance, most are issued by state and federal courts or grand juries, the DEA, the FBI, and the IRS. Many of those subpoenas direct the Companies not to release any information about the subpoena for an indefinite period of time, including a directive not to disclose the existence of the subpoenas, due to the ongoing nature of the pending investigation. The Companies also regularly receive subpoenas in the context of divorce proceedings, garnishment orders, and restitution cases in the context of car accidents involving damage to utility poles or property.

<u>Year</u>	<u>Total</u>
2014	197
2015	257
2016	223
2017	217
2018	75
<hr/>	
Total	926

- b. The Companies direct all employees to immediately forward all subpoenas to the Law Department. The Law Department then takes all necessary steps to respond or object as appropriate on a case-by-case basis.
- c. No. Indeed, as mentioned above, certain kinds of compulsory information requests from law enforcement agencies direct the Companies not to alert affected customers.
- d. See the response to c. above.
- e. See the response to c. above.
- f. See the response to c. above.
- g. No, not with regard to customer-related information.

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Question No. 2

Witness: John P. Malloy

Q-2. How long is customer account data retained currently?

A-2. The Companies currently retain customer account data for a minimum of 5 years.

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Question No. 3

Witness: John P. Malloy

- Q-3. How long will customer account data be retained under the proposed Advanced Metering deployment?
- A-3. The Companies do not plan to change customer account data retention as a result of AMS.

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Question No. 4

Witness: John P. Malloy

- Q-4. How will data under Advanced Metering be retained and protected against hacking and against unauthorized disclosure?
- A-4. A high-level overview of the Companies' cybersecurity protocols and data privacy policy may be found in Exhibit JPM-1, pages 61-63 and Exhibit DEH-3, pages 12-24. Additional cybersecurity protocols will continue to be developed and implemented over the course of the AMS technology life.

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Question No. 5

Witness: John P. Malloy

- Q-5. Will LG&E share customer information with a third party without first obtaining explicit consent from the customer for each such request for sharing?
- A-5. The Companies' current privacy policy is that they will not share with third parties specific information regarding an individual customer's account without the customer's written authorization or unless required to do so by a court order, subpoena, or other compulsory process, or by operation of law. The Companies' privacy policy states that the Companies may use customer account information in the following representative ways:
- To verify the existence of a customer's energy service;
 - To communicate with a customer and handle customer requests;
 - To compile information about how our Web site is reached and used;
 - To compile research that does not identify the customer as an individual, group or entity other than age group and gender;
 - To contact our customers about other products or services offered by our alliance partners; and
 - To collect debts owed by a customer.