

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)	CASE NO. 2018-00005
PUBLIC CONVENIENCE AND NECESSITY)	
FOR FULL DEPLOYMENT OF ADVANCED)	
METERING SYSTEMS)	

**JOINT PETITION OF KENTUCKY UTILITIES COMPANY
AND LOUISVILLE GAS AND ELECTRIC COMPANY
FOR CONFIDENTIAL PROTECTION**

Kentucky Utilities Company (“KU”) and Louisville Gas and Electric Company (“LG&E”) (collectively, the “Companies”) hereby petition 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 item described herein, which the Companies seek to provide in response to Item 34 of the Attorney General’s (“AG”) Initial Data Requests.

1. The Kentucky Open Records Act exempts from disclosure information “generally recognized as confidential or proprietary, which if openly disclosed would permit an unfair commercial advantage to competitors of the entity that disclosed the records.”¹

2. AG Item 34 requests “a copy of all exhibits and schedules that were prepared in the Companies’ Application in Excel spreadsheet format with all formulas intact and unprotected and with all columns and rows accessible.” In response, the Companies are producing a spreadsheet containing the AMS business model, which includes all inputs, assumptions, sources, calculations, and outputs used to derive the benefits and costs associated with the AMS cost-benefit analysis. The spreadsheet warrants confidential protection because many of the

¹ KRS 61.878(1)(c)(1).

inputs and assumptions are estimated costs received from vendors. This is confidential business information and disclosure of this information could be used by competitors of the Companies and their vendors. Moreover, public disclosure of this information would reveal information about the Companies' business strategies and decision-making processes, which could affect the Companies' ability to negotiate with vendors in the future, to the detriment of their ratepayers. Thus, the Companies seek confidential protection of the entire spreadsheet provided in response to AG Item 34.

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

4. The Companies 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 the Companies' 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. The Companies are filing a CD containing its response to AG Item 34. Pursuant to 807 KAR 5:001 Section 13(2)(a)(3)(b), confidential treatment is sought for the entire document. Therefore, as required by 807 KAR 5:001 Section 13(2)(a)(3)(b), written notification that the entire document is 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. The Companies request that confidential protection be granted for five years due to the sensitive nature of the information at issue.

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

Dated: April 13, 2017

Respectfully submitted,




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*Counsel for Louisville Gas and Electric Company and
Kentucky Utilities Company*

CERTIFICATE OF COMPLIANCE

This is to certify that Kentucky Utilities Company and Louisville Gas and Electric Company's April 13, 2018 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 April 13, 2018; 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 are being mailed to the Commission on April 13, 2018 by first class United States mail, postage prepaid.

A handwritten signature in blue ink, appearing to be "A. B. Smith", written over a horizontal line.

*Counsel for Kentucky Utilities Company
and Louisville Gas and Electric Company*