

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE 2018 INTEGRATED RESOURCE PLAN)	
OF LOUISVILLE GAS AND ELECTRIC)	CASE NO. 2018-000348
COMPANY AND KENTUCKY UTILITIES)	
COMPANY)	

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

Louisville Gas and Electric Company (“LG&E”) and Kentucky Utilities Company (“KU”) (collectively, the “Companies”) petition the Public Service Commission of Kentucky (“Commission”) pursuant to 807 KAR 5:001, Section 13 and KRS 61.878(1) to grant confidential protection for the information described herein, which the Companies seek to provide in response to Item Nos. 3 and 7(b) of the Sierra Club’s Supplemental Request for Information. In support of this Joint Petition, the Companies state as follows:

1. Under the Kentucky Open Records Act, the Commission is entitled to withhold from public disclosure commercially sensitive information 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. In the attachment provided in response to Item No. 3 of the Sierra Club’s Supplemental Request for Information, LG&E and KU are providing a document containing fuel price forecast information. The projected cost of fuel information is developed internally by the Companies’ personnel, is not on file with any public agency, is not available from any commercial

or other source outside the Companies, and is distributed within the Companies only to those employees who must have access for business reasons. If the Commission grants public access to this information, LG&E and KU could be disadvantaged in negotiating contracts in the future and could also be disadvantaged in the wholesale energy market because power production data is an important component of energy pricing. Public disclosure would provide insight into the Companies' cost of producing power and would indicate the prices at which the Companies are willing to sell power. Allowing public access to this information would impact the Companies' ability to negotiate with prospective contractors and vendors and could harm the Companies' competitive position in the wholesale power market. All such commercial harms would ultimately harm the Companies' customers, who would have to pay higher rates if the disclosed information resulted in higher production prices. Because the fuel price forecast information is contained throughout the voluminous attachment, the Companies request confidential protection for the entirety of the attachment.

3. In the attachment provided in response to Item No. 7(b) of the Sierra Club's Supplemental Request for Information, the Companies are providing portions of presentations given to the Ohio Valley Electric Corporation ("OVEC") Board of Directors. These presentations include commercially sensitive information relating to projected market prices for energy. Because the Companies purchase power from OVEC pursuant to a long-existing cost-based Inter-Company Power Agreement, public disclosure of this confidential information would affect OVEC's ability to obtain the most reasonable prices for goods and services in the competitive marketplace, which would adversely impact the price of power the Companies purchase from OVEC. Thus, the Companies request confidential protection for the highlighted portions of the

document provided in response to Item No. 7(b) of the Sierra Club's Supplemental Request for Information.

4. The information for which the Companies are seeking confidential treatment is not known outside of the Companies and its counsel, or in the case of the document responsive to Item No. 7(b) of the Sierra Club's Supplemental Request for Information, OVEC and its Board of Directors. It is not disseminated within LG&E and KU 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.

5. 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.

6. If the Commission disagrees with this request for confidential protection, 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. Utility Regulatory Commission v. Kentucky Water Service Company, Inc., Ky. App., 642 S.W.2d 591, 592-94 (1982).

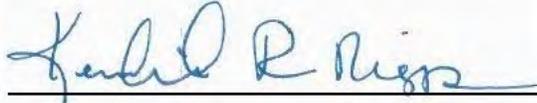
7. In compliance with 807 KAR 5:001, Sections 8(3) and 13(2)(e), LG&E and KU are filing with the Commission one paper copy that identifies by highlighting the information for which confidential protection is sought for Item No. 7(b) and one electronic copy with the same information obscured. LG&E and KU are also filing with the Commission a compact disc in electronic medium of Item No. 3 for which the Companies are requesting confidential protection in its entirety.

8. LG&E and KU request that the information be kept confidential for at least five years from the date of this filing as that is the amount of time necessary before the confidential information becomes dated to the point that the need for protection no longer exists.

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

Dated: December 17, 2019.

Respectfully submitted,



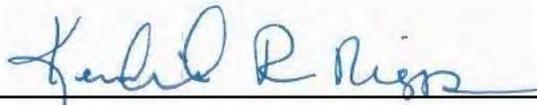
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*Counsel for Louisville Gas and Electric Company
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CERTIFICATE OF COMPLIANCE

This is to certify that Louisville Gas and Electric Company and Kentucky Utilities Company's December 17, 2019 electronic filing of the Joint 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 December 17, 2019; 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 and an unobscured copy of the material for which confidentiality is sought sealed in an opaque envelope are being hand delivered to the Commission within two business days from the date of the electronic filing.



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