

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

**ELECTRONIC APPLICATION OF GRAYSON)
COUNTY WATER DISTRICT FOR A)
DEVIATION FROM METER TESTING) CASE NO. 2019-00115
REQUIREMENTS OF 807 KAR 5:066,)
SECTION 16(1))**

PETITION FOR CONFIDENTIAL PROTECTION

Grayson County Water District (“GCWD”), 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 to the attachments provided in GCWD’s Response to the Commission Staff’s Second Request for Information, Item 1. In support of its Petition, GCWD states:

1. The Kentucky Open Records Act and specifically KRS 61.878(1)(c)(1) exempts from disclosure confidential or proprietary information, of a kind generally recognized to be confidential or proprietary, to the extent that open disclosure would permit an unfair commercial advantage to competitors of the entity disclosing the information to the Commission.

2. GCWD is providing in response to the Commission Staff’s Second Request for Information, Item 1, two documents produced by the American Water Works Association (“AWWA”). The AWWA documents are not available to the general public and require membership or purchase to access the documents. Because the open disclosure of these documents would permit an unfair commercial advantage to competitors of the AWWA, GCWD requests through this petition that the Commission grant confidential protection of these documents in their entirety.

3. To GCWD's knowledge, the information for which GCWD is seeking confidential treatment is not in the public domain.

4. If the Commission disagrees with this request for confidential protection, however, it must hold an evidentiary hearing (a) to protect GCWD's due process rights and (b) to supply with the Commission with a complete record to enable it to reach a decision with regard to this matter.¹

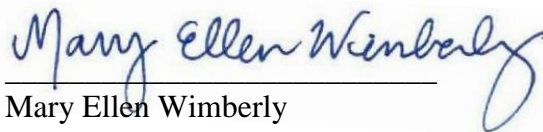
5. In compliance with 807 KAR 5:001, 13(2)(a)(3)(b), because confidential treatment is sought for the entire documents, GCWD is providing written notification that the entire documents are confidential in lieu of the required highlighting in the public version of the response.

6. GCWD requests that confidential protection be granted for five years due to the proprietary nature of the information at issue.

WHEREFORE, Grayson County Water District respectfully requests that the Commission grant confidential protection for the documents provided in response to Item 1 of the Commission Staff's Second Request for Information.

Dated: August 30, 2019

Respectfully submitted,

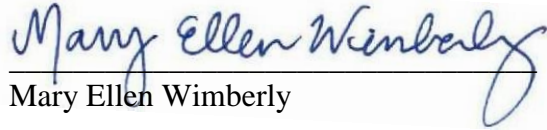


Mary Ellen Wimberly
Gerald E. Wuetcher
Stoll Keenon Ogden PLLC
300 West Vine Street, Suite 2100
Lexington, Kentucky 40507-1801
Telephone: (859) 231-3047
Fax: (859) 246-3647
maryellen.wimberly.skofirm.com
gerald.wuetcher@skofirm.com
Counsel for Grayson County Water District

¹ *Utility Regulatory Commission v. Kentucky Water Service Company, Inc.*, 642 S.W.2d 591, 592-94 (Ky. App. 1982).

CERTIFICATE OF SERVICE

In accordance with 807 KAR 5:001, Section 8, I certify that Grayson County Water District's August 30, 2019 electronic filing of this Petition 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 August 30, 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 this Petition will be delivered to the Commission within two business days.


Mary Ellen Wimberly