

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF ESTILL	)	
COUNTY WATER DISTRICT NO. 1 FOR A	)	CASE NO. 2019-00119
SURCHARGE TO FINANCE WATER LOSS	)	
CONTROL EFFORTS	)	

**PETITION OF ESTILL COUNTY WATER DISTRICT NO. 1
FOR CONFIDENTIAL PROTECTION**

Pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1), Section 4, Estill County Water District No. 1 (“Estill District” or “the District”) petitions the Kentucky Public Service Commission (“the Commission”) to grant confidential protection to the project engineer’s opinion of probable project cost for the Hargett Creek Crossing Waterline Replacement (“Project Engineer’s Opinion”), which is Exhibit C to the District’s Verified Motion for Authorization to Expend Surcharge Proceeds.¹

In support of its Motion, Estill District states:

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.”²

2. The District proposes to finance the Hargett Creek Crossing Waterline Replacement with a portion of the proceeds from its Water Loss Control Program Surcharge (“Surcharge”). The District is now inviting qualified firms to submit written quotes for the project. Public disclosure of the Project Engineer’s Opinion prior to the completion of that process would

¹ A copy of this document is attached to this Petition as Exhibit A.

² KRS 61.878(1)(c)(1).

place the District at a significant disadvantage. Firms submitting a quote for the project could use the cost estimate as a benchmark and submit higher quotes than they otherwise would if the Project Engineer's Opinion is not disclosed. Such action would result a higher project cost and fewer surcharge proceeds available for other water loss control projects. Revealing the Project Engineer's Opinion prior to the submission and evaluation of price quotes could also lead to vendors manipulating the procurement process.

3. A project engineer's opinion of probable project cost is generally recognized as confidential and proprietary prior to the submission and evaluation of bids or price quotes.

4. The Commission has previously granted requests to protect similar information from public disclosure.³

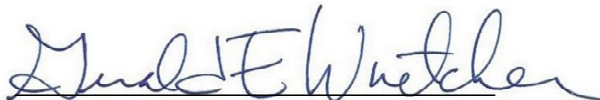
5. Estill District requests that the Project Engineer's Opinion be kept confidential for 30 days from the issuance of its final decision on the District's Verified Motion for Authorization to Expend Surcharge Proceeds or until the Commission receive written notice from the District that a contract for the replacement creek crossing has been awarded, whichever occurs first.

WHEREFORE, Estill District respectfully requests that the Commission grant confidential protection for Project Engineer's Opinion, which is attached to the District's Verified Motion for Authorization to Expend Surcharge Proceeds as Exhibit C, in its entirety.

³ See, e.g., *Electronic Joint Application of Bluegrass Water Utility Operating Company, LLC For Approval of Acquisition and Transfer of Ownership and Control Of Assets of Magruder Village Water Company*, Case No. 2023-00218 (Ky. PSC Oct. 10, 2023).

Dated: November 14, 2025

Respectfully submitted,

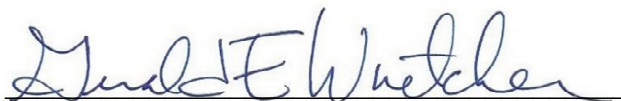


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Counsel for Estill County Water District No. 1

CERTIFICATE OF SERVICE

In accordance with 807 KAR 5:001, Section 8, and the Public Service Commission's Order of July 22, 2021 in Case No. 2020-00085, I certify that this document was transmitted to the Public Service Commission on November 14, 2025, and that there is currently no party that the Public Service Commission has excused from participation by electronic means in this proceeding.



Counsel for Estill County Water District No. 1

EXHIBIT A

[Confidential Protection is sought for the entire document.]