

**COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION**

**In the Matter of**

<b>VERIFIED ELECTRONIC APPLICATION OF )</b>	
<b>LOUISVILLE GAS AND ELECTRIC )</b>	
<b>COMPANY FOR APPROVAL OF STATE )</b>	
<b>WAIVER OF THE REASSESSMENT )</b>	<b>CASE NO. 2019-00222</b>
<b>INTERVAL REQUIRED BY 49 C.F.R. §192.939 )</b>	

**PETITION OF LOUISVILLE GAS AND ELECTRIC COMPANY  
FOR CONFIDENTIAL PROTECTION OF CERTAIN AS-BUILT MAPS**

Louisville Gas and Electric Company (“LG&E”), pursuant to 807 KAR 5:001, Section 13, petitions the Commission to classify as confidential and protect from public disclosure gas pipeline maps attached as Attachment A to LG&E’s application in this matter. For reasons involving homeland security, LG&E respectfully requests that the Commission grant confidential protection to the pipeline High Consequence Area (“HCA”) maps.

In further support of the Petition, LG&E states as follows:

1. Under the Kentucky Open Records Act, the Commission is entitled to withhold from public disclosure information confidentially disclosed to it to the extent that open disclosure would “have a reasonable likelihood of threatening the public safety by exposing a vulnerability in preventing, protecting against, mitigating, or responding to a terrorist act and limited to: ... (f) infrastructure records that expose a vulnerability referred to in this subparagraph through the disclosure of the location, configuration, or security of critical systems, including public utility critical systems. These critical systems shall include but not be limited to information technology, communication, electrical, fire suppression, ventilation, water, wastewater, sewage, and gas systems and (g) the

following records when their disclosure will expose a vulnerability referred to in this subparagraph: detailed drawings, schematics, maps, or specifications of structural elements, floor plans, and operating, utility, or security systems of any building or facility owned, occupied, leased, or maintained by a public agency.” See KRS 61.878(1)(m)1. Succinctly put, the HCA maps attached hereto provide information about the Company’s gas pipelines; as such, the disclosure of which could threaten the public safety generally.

2. The information for which the Company is seeking confidential treatment is not known outside of the Company, except by regulators, is not broadly available within the Companies, and is generally recognized as confidential and proprietary information in the energy industry.

3. If the Commission disagrees with this request for confidential protection, it must hold an evidentiary hearing (a) to protect the Company’s 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).

4. In accordance with 807 KAR 5:001, Section 13(2)(a)3b, LG&E seeks protection of the entire document. LG&E is filing with the Commission originals of the pipeline HCA maps identified as confidential. LG&E respectfully requests that the confidential material should be treated as confidential for an indefinite period of time.

**WHEREFORE,** Louisville Gas and Electric Company respectfully requests that the Commission classify and protect as confidential for an indefinite period of time the pipeline HCA maps.

Sincerely,



---

Allyson K. Sturgeon  
Managing Sr Counsel - Regulatory & Transactions  
LG&E and KU Energy LLC  
220 West Main Street  
Louisville, Kentucky 40202  
Telephone: (502) 627-2088  
Fax: (502) 627-3367  
Allyson.Sturgeon@lge-ku.com

*Counsel for Louisville Gas and Electric Company*

**CERTIFICATE OF COMPLIANCE**

In accordance with 807 KAR 5:001 Section 8(7), this is to certify that Louisville Gas and Electric Company's July 3, 2019 electronic filing is a true and accurate copy of the documents being filed in paper medium; that the electronic filing was transmitted to the Commission on July 3, 2019; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; that an original of the filing will be hand-delivered to the Commission within two business days; and that on July 3, 2019, electronic mail notification of the electronic filing will be provided to the Office of the Attorney General, Office for Rate Intervention, 700 Capitol Avenue, Suite 20, Frankfort, KY 40601.



*Counsel for Louisville Gas and Electric Company*