COMMONWEALTH OF KENTUCKY 1 2 BEFORE THE PUBLIC SERVICE COMMISSION OF KENTUCKY 3 4 5 In the Matter of: 6 AN ELECTRONIC EXAMINATION OF THE APPLICATION OF THE FUEL ADJUSTMENT) Case No. CLAUSE OF BIG RIVERS ELECTRIC 2020-00009 **CORPORATION FROM MAY 1, 2019 THROUGH**) **OCTOBER 31, 2019**) 7 8 **MOTION OF BIG RIVERS ELECTRIC CORPORATION FOR** 9 CONFIDENTIAL TREATMENT 10 11 12 Big Rivers Electric Corporation ("Big Rivers") hereby moves the Public 1.

Service Commission of Kentucky ("Commission"), pursuant to 807 KAR 5:001
Section 13 and KRS 61.878, to grant confidential treatment to certain information
contained in the attachment to Big Rivers' response to Item 13 of the information
requested in the Appendix to the Commission's February 11, 2020, order in this
matter (the "Confidential Information").
2. The Confidential Information consists of private usage information of
individual retail customers.

3. One (1) copy of the pages containing Confidential Information, with the Confidential Information highlighted with transparent ink, printed on yellow paper, or otherwise marked "CONFIDENTIAL," is being filed in hardcopy format with this petition. 807 KAR 5:001 Section 13(2)(e).

4. If and to the extent the Confidential Information becomes generallyavailable to the public, whether through filings required by other agencies or

otherwise, Big Rivers will notify the Commission and have its confidential status
 removed. 807 KAR 5:001 Section 13(10)(b).

3 5. As discussed below, the Confidential Information is entitled to
4 confidential treatment based upon KRS 61.878(1)(a). 807 KAR 5:001 Section
5 13(2)(a)(1).

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I. <u>The Confidential Information is Entitled to Confidential</u> <u>Treatment under KRS 61.878(1)(a)</u>

8 6. KRS 61.878(1)(a) protects "[p]ublic records containing information of a
9 personal nature where the public disclosure thereof would constitute a clearly
10 unwarranted invasion of personal privacy."

11 7. The attachment to Big Rivers' response to Item 13 reveals the power usage of individual large industrial retail customers on the Big Rivers system. 12 Because these customers are not parties to this proceeding, publicly revealing such 13 14 information would constitute a clearly unwarranted invasion of personal privacy. Moreover, the Commission has previously granted confidential treatment to similar 15 retail customer usage information. See, e.g., In the Matter of: Sanctuary Church v. 16 Louisville Gas and Electric Company, Order, P.S.C. Case No. 2018-00181 (Jan. 8, 17 2019) (granting confidential treatment pursuant to KRS 61.878(1)(a) for an 18 19 indefinite period to a retail customer's account and usage information); In the 20 Matter of: Application of Kentucky Utilities Company for an Adjustment of its Electric Rates, Order, P.S.C. Case No. 2012-00221 (July 25, 2013) (holding customer 21 22 names, account numbers, and usage information exempt from disclosure under KRS

1	61.878(1)(a)). As such, Big Rivers requests confidential treatment for the identity of
2	these customers in order to protect their private usage information.
3	II. Time Period
4	8. Big Rivers requests that the Confidential Information remain
5	confidentiality indefinitely so as to protect private customer usage information. 807
6	KAR 5:001 Section 13(2)(a)(2).
7	III. Conclusion
8	9. Based on the foregoing, the Confidential Information is entitled to
9	confidential treatment.
10	WHEREFORE, Big Rivers respectfully requests that the Commission classify
11	and protect as confidential the Confidential Information.
12	On this the 25 ^h day of February, 2020
13	Respectfully submitted,
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