

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC INVESTIGATION INTO THE)	
OPERATIONAL CAPACITY AND)	CASE NO.
INFRASTRUCTURE OF GRAYSON RURAL)	2020-00018
ELECTRIC COOPERATIVE CORPORATION)	

MOTION FOR CONFIDENTIAL TREATMENT

Comes now Grayson Rural Electric Cooperative Corporation, by counsel, pursuant to KRS 61.878, 807 KAR 5:001, Section 13 and all other applicable law and moves the Commission for confidential treatment of certain documents to be filed as part of Grayson’s action plan status update. As grounds for this motion, Grayson states as follows:

This proceeding concerns recent audits of Grayson Rural Electric Cooperative Corporation (“Grayson”). By order dated August 12, 2022, the Commission consolidated Case No. 2019-00101¹ into this proceeding and ordered Grayson to file annual action plan status updates by no later than November 15 concerning its progress toward implementing the recommendations from Case Nos. 2019-00101 and 2020-00018. That order further required that Grayson should file the status updates into the record. Contemporaneous with the filing of this motion, Grayson has filed its action plan update with several attached documents. However, there are certain documents for which confidential treatment is sought as stated herein.

¹ Case No. 2019-00101, *Electronic Investigation into the Management and Operation of Grayson Rural Electric Cooperative Corporation* (Ky. PSC Feb. 7, 2020).

KRS 61.878(1)(c) protects “records confidentially disclosed to an agency or required by an agency to be disclosed to it, 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.” KRS 61.878(a)(c)(1). Furthermore, KRS 61.878(m)(1) protects the disclosure of “public records the disclosure of which 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. . . .” Subsection (b) of that statute includes “vulnerability assessments.”

The documents for which confidential treatment is sought are as follows: (1) a proposal by NetGain Technologies for security improvements to Grayson’s computer systems (Exhibit C); and (2) a review and assessment of Grayson’s servers and computers (Exhibit G). Confidentiality is sought for Exhibits C and G because the information is proprietary and unique to Grayson. Furthermore, the information specifically identifies the computer systems of Grayson and notes areas of improvement of the security of those systems. Disclosure of that information could create or increase the risk of a terroristic cyber-attack against Grayson by providing sensitive information concerning Grayson’s computer systems.

In accordance with the provisions of 807 KAR 5:001, Section 13(2), Grayson is filing one copy of the unredacted exhibits separately and under seal.

WHEREFORE, for the reasons stated herein, Grayson Rural Electric Cooperative Corporation respectfully requests confidential treatment for Exhibits C and G to its action plan status update filed with the Commission.

Respectfully submitted by,

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