

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

**In the Matter of:**

<b>ELECTRONIC APPLICATION OF</b>	)	
<b>LOUISVILLE GAS AND ELECTRIC</b>	)	
<b>COMPANY FOR AN ADJUSTMENT OF ITS</b>	)	
<b>ELECTRIC AND GAS RATES, A</b>	)	
<b>CERTIFICATE OF PUBLIC CONVENIENCE</b>	)	<b>CASE NO. 2020-00350</b>
<b>AND NECESSITY TO DEPLOY ADVANCED</b>	)	
<b>METERING INFRASTRUCTURE,</b>	)	
<b>APPROVAL OF CERTAIN REGULATORY</b>	)	
<b>AND ACCOUNTING TREATMENTS, AND</b>	)	
<b>ESTABLISHMENT OF A ONE-YEAR</b>	)	
<b>SURCREDIT</b>	)	

**PETITION OF LOUISVILLE GAS AND ELECTRIC COMPANY**  
**FOR CONFIDENTIAL PROTECTION**

Louisville Gas and Electric Company (“LG&E” or the “Company”) 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 for the item described herein, which LG&E seeks to provide in response to Item 12(c) of the Commission Staff’s Fifth Request for Information.

**Confidential Personal Information – Customer-Identifying Information (KRS 61.878(1)(a))**

1. The Kentucky Open Records Act exempts from disclosure certain private and personal information.<sup>1</sup> Item 12(c) of the Commission Staff’s Fifth Request for Information asks the Company to provide the names and addresses of the 400 potential customers that have been denied gas service due to lack of gas service in the area that the Bullitt County gas pipeline will be providing service. In response, LG&E is providing a listing of customer names or contacts and addresses. The identification of specific customers is personal information that should not be placed in the public domain. The Commission previously granted confidential protection to similar

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<sup>1</sup> KRS 61.878(1)(a).

information.<sup>2</sup> Because information in these documents identifies specific customers, LG&E requests through this petition that the Commission protect the entire document from public disclosure.

2. The information for which LG&E is seeking confidential treatment is not disseminated within LG&E except to those employees with a legitimate business need to know the information.

3. LG&E will disclose the confidential information, pursuant to a confidentiality agreement, to intervenors with a legitimate interest in this information and as required by the Commission.

4. If the Commission disagrees with this request for confidential protection, however, it must hold an evidentiary hearing (a) to protect LG&E'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.<sup>3</sup>

5. Because LG&E is seeking confidential protection for the entire document provided in response to Item 12(c) of the Commission Staff's Fifth Request for Information, LG&E is filing

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<sup>2</sup> *Electronic Application of Kentucky Power Company to Amend the Settlement Agreement Approved in Case No. 2018-00035 to Provide for the One-Time Amortization of Unprotected Accumulated Deferred Federal Income Tax in an Amount Sufficient to Eliminate Customer Delinquencies Greater Than 30 Days as of May 28, 2020*, Case No. 2020-00176, Order (Ky. PSC Oct. 12, 2020) (granting confidential protection to customer names); *Application of Duke Energy Kentucky, Inc. for: (1) An Adjustment of the Electric Rates; (2) Approval of an Environmental Compliance Plan and Surcharge Mechanism; (3) Approval of New Tariffs; (4) Approval of Accounting Practices to Establish Regulatory Assets and Liabilities; and (5) All Other Required Approvals and Relief*, Case No. 2017-00321, Order (Ky. PSC May 3, 2018) (granting confidential protection to specific customer account information, including account numbers and billing data); *Application of Kentucky Utilities Company for an Adjustment of its Electric Rates*, Case No. 2012-000221, Order at 1-2 (Ky. PSC July 25, 2013) (granting confidential protection to customer names, account numbers, and usage information); *Application of Louisville Gas and Electric Company for an Adjustment of its Electric and Gas Rates, a Certificate of Public Convenience and Necessity, Approval of Ownership of Gas Service Lines and Risers, and a Gas Line Surcharge*, Case No. 2012-0222, Order at 1-2 (Ky. PSC July 16, 2013) (granting confidential protection to "customer-identifying information such as customer names and account numbers"); *see also Application of Kentucky-American Water Company for an Adjustment of Rates Supported by a Fully Forecasted Test Year*, Case No. 2012-00520, Order at 4 (Ky. PSC Aug. 1, 2014) (granting confidential protection to the response of Staff Item 77, which contained customer-identifying information like names, account numbers, balance history, and the names of customers qualifying for discounted service); *DPi Teleconnect, LLC v. Bellsouth Telecommunications, Inc. d/b/a AT&T Kentucky*, Case No. 2005-00455, Letter from Stephanie Stumbo to Mary Keyer (Ky. PSC May 29, 2008).

<sup>3</sup> *Utility Regulatory Commission v. Kentucky Water Service Company, Inc.*, 642 S.W.2d 591, 592-94 (Ky. App. 1982).

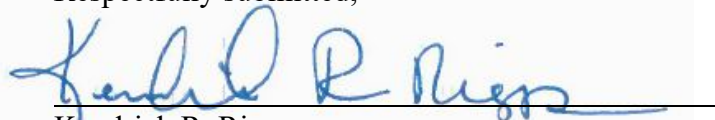
with the Commission one electronic copy that identifies with a confidential slip page the attachment for which confidential protection is sought. Pursuant to the Commission's Order March 24, 2020 Order in Case No. 2020-00085, LG&E will upload the confidential version of the document to its encrypted file-share site for the Commission's retrieval. Access to the encrypted file-share site will be provided to intervenors pursuant to a confidentiality agreement upon request.

6. The Company requests that confidential protection be granted for 20 years.

**WHEREFORE**, Louisville Gas and Electric Company respectfully requests that the Commission grant confidential protection for the information described herein.

Dated: April 1, 2021

Respectfully submitted,



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## CERTIFICATE OF COMPLIANCE

In accordance with 807 KAR 5:001 Section 8(7), this is to certify that Louisville Gas and Electric Company's April 1, 2021 electronic filing is a true and accurate copy of the documents being filed in paper medium; that the electronic filing has been transmitted to the Commission on April 1, 2021; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; and that a true and correct copy in paper medium will be delivered to the Commission within 30 days of the lifting of the State of Emergency.



*Gerald R. Rieps*

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*Counsel for Louisville Gas and Electric Company*