

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

IN THE MATTER OF:

JOINT ELECTRONIC APPLICATION OF WEST CARROLL)	
WATER DISTRICT AND THE CITY OF CARROLLTON ON)	
BEHALF OF CARROLLTON UTILITIES FOR (1) AN APPROVAL)	
OF THE PROPOSED ASSET ACQUISITION AND TRANSFER)	
OF CONTROL OF WEST CARROLL WATER DISTRICT TO)	CASE NO.
THE CITY OF CARROLLTON ON BEHALF OF CARROLLTON)	2021-00155
UTILITIES PURSUANT TO KRS 278.218, KRS 278.020(6) AND)	
KRS 278.020(7), AND, (2) ALL OTHER REQUIRED APPROVALS)	
AND RELIEF)	

MOTION FOR CONFIDENTIAL TREATMENT

Comes now West Carroll Water District, the City of Carrollton and Carrollton Utilities (collectively, “Joint Applicants”), by counsel, pursuant to KRS 61.878, 807 KAR 5:001, Section 13 and other applicable law, and for its Motion requesting that the Kentucky Public Service Commission (“Commission”) afford confidential treatment to certain portions of the Joint Application and related exhibits filed in the above-captioned proceeding, respectfully states as follows:

1. Contemporaneously with this Motion, the Joint Applicants have filed an Application requesting an Order from the Commission approving the transfer of control of West Carroll Water District to the City of Carrollton on behalf of Carrollton Utilities.
2. As part of the Application, the Joint Applicants have inserted as Exhibit 6 to the Asset Purchase Agreement, a map showing the service territory and location of infrastructure of West Carroll Water District that would be part of the transfer in this case if approved by the Commission. In addition to the service territory map, the Joint Applicants are also submitting as

Exhibit 7 to the Asset Purchase Agreement, West Carroll Water District's current list of customers. These items are referred to herein collectively as the "Confidential Information."

3. KRS 61.878(1)(m)(1) protects "[p]ublic records the disclosure of which would have a reasonable likelihood of threatening public safety by exposing a vulnerability in preventing protecting against, mitigating, or responding to a terrorist act...." and specifically exempts from public disclosure certain records pertaining to public utility critical systems. *See* KRS 61.878(1)(m)(1)(f).

4. The Confidential Information includes identifications and depictions of certain critical infrastructure necessary to transmit potable water in the region. If disclosed in conjunction with the remainder of the Joint Applicants' Application, the Confidential Information could be utilized to commit or further a criminal or terrorist act, disrupt critical public utility systems, and/or intimidate or coerce the civilian population. Disclosure of the Confidential Information could also result in the disruption of innumerable other infrastructure systems which relate to, or rely upon, the safe and reliable provision of potable water. Moreover, disclosure of the Confidential Information could have a reasonable likelihood of threatening the public safety. Put plainly, maintaining the confidentiality of the Confidential Information relating to critical infrastructure is necessary to protect the interests of the Joint Applicants, the customers, and the region at large.

5. Furthermore, the Confidential Information contains customer names, account numbers and property addresses that are considered to be personal in nature and highly sensitive information. Disclosure of this information would be a breach of the customers' privacy and could cause harm to the customers as well as the Joint Applicants.

6. The Confidential Information is proprietary information that is retained by the Joint Applicants on a "need-to-know" basis and is not publicly available. The Confidential Information

is distributed within the Joint Applicants only to those employees who must have access for business reasons, and is generally recognized as confidential and proprietary in the utility industry.

7. The Joint Applicants do not object to limited disclosure of the Confidential Information described herein, pursuant to an acceptable confidentiality and nondisclosure agreement, to intervenors with a legitimate interest in reviewing the same for the sole purpose of participating in this case. .

8. In accordance with the provisions of 807 KAR 5:001, Section 13(2), the Joint Applicants are filing one (1) copy of the unredacted Confidential Information separately under seal with the Confidential Information highlighted or otherwise denoted.

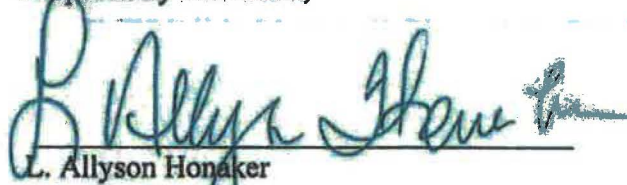
9. In accordance with the provisions of 807 KAR 5:001, Section 13(2), the Joint Applicants respectfully requests that the map and personal customer information be withheld from public disclosure indefinitely.

10. If, and to the extent, the Confidential Information becomes publicly available or otherwise no longer warrants confidential treatment., the Joint Applicants will notify the Commission and have its confidential status removed, pursuant to 807 KAR 5:001 Section 13(10).

WHEREFORE, on the basis of the foregoing, the Joint Applicants respectfully request that the Commission classify and protect as confidential the specific Confidential Information described herein for time periods described above.

This 8th day of April, 2021.

Respectfully submitted,



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