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COMMONWEALTH OF KENTUCKY
BEFORE THE KENTUCKY PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF)	
BIG RIVERS ELECTRIC CORPORATION)	
FOR A CERTIFICATE OF PUBLIC)	Case No.
CONVENIENCE AND NECESSITY TO)	2022-00012
CONSTRUCT A 161 KV TRANSMISSION LINE)	
IN HENDERSON COUNTY, KENTUCKY)	

MOTION OF BIG RIVERS ELECTRIC CORPORATION FOR
CONFIDENTIAL TREATMENT

1. Big Rivers Electric Corporation (“*Big Rivers*”) hereby petitions the Kentucky Public Service Commission (“*Commission*”), pursuant to 807 KAR 5:001 Section 13 and KRS 61.878(1)(m)(1), to grant confidential treatment to certain information Big Rivers is filing in response to Ordering Paragraph No. 7 of the Commission’s Order dated June 6, 2022, with this motion.

2. The information for which Big Rivers seeks confidential treatment, hereinafter referred to as the “*Confidential Information*,” consists of detailed “as built” drawings of Big Rivers’ South Henderson Switching Station and the Henderson Paper Mill Substation (the “*Stations*”), authorized by the June 6, 2022 Order.

3. Pursuant to the Commission’s March 24, 2020, Order in *In the Matter of Electronic Emergency Docket Related to the Novel Coronavirus COVID-19*, Case No. 2020-00085 (“*Case No. 2020-00085*”), one (1) copy of the Confidential

1 Information highlighted with transparent ink, printed on yellow paper, or
2 otherwise marked “CONFIDENTIAL” is being filed with this motion by electronic
3 mail or posting on a secure file share site. A copy of the filing, with the
4 Confidential Information redacted, is being electronically filed with this motion.

5 4. A copy of the filing with the Confidential Information redacted has
6 been served on all parties to this proceeding through the use of electronic filing.
7 *See* 807 KAR 5:001 Section 13(b).

8 5. If and to the extent the Confidential Information becomes generally
9 available to the public, whether through filings required by other agencies or
10 otherwise, Big Rivers will notify the Commission and have its confidential status
11 removed. *See* 807 KAR 5:001 Section 13(10)(b).

12 6. The Confidential Information is not publicly available, is not
13 disseminated within Big Rivers except to those employees and professionals with
14 a legitimate business need to know and act upon the information, and is not
15 disseminated to others without a legitimate need to know and act upon the
16 information.

17 7. As discussed below, The Confidential Information is entitled to
18 confidential protection based upon KRS 61.878(1)(m)(1). *See* 807 KAR 5:001
19 Section 13(2)(a)(1).

1 **II. Time Period**

2 11. Pursuant to 807 KAR 5:001 Section 13(2)(a)(2), Big Rivers requests
3 that the Confidential Information remain confidential indefinitely because as
4 long as the Stations or similar stations remain in operation, the information
5 should be confidential for the reasons stated above.

6 **III. Conclusion**

7 12. Based on the foregoing, the Confidential Information is entitled to
8 confidential treatment pursuant to 807 KAR 5:001 Section 13 and KRS 61.878.
9 If the Commission disagrees that Big Rivers' Confidential Information is entitled
10 to confidential treatment, due process requires the Commission to hold an
11 evidentiary hearing. *See Utility Regulatory Comm'n v. Kentucky Water Serv. Co.,*
12 *Inc.*, 642 S.W.2d 591 (Ky. App. 1982).

13 WHEREFORE, Big Rivers respectfully requests that the Commission
14 grant this motion and classify and treat as confidential the Confidential
15 Information.

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1 On this the 13th day of December, 2023

2 Respectfully submitted,

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4 */s/ Senthia Santana*

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