

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

**In the Matter of:**

<b>AN ELECTRONIC EXAMINATION OF</b>	)	
<b>THE APPLICATION OF THE FUEL</b>	)	<b>CASE NO. 2022-00038</b>
<b>ADJUSTMENT CLAUSE OF</b>	)	
<b>KENTUCKY UTILITIES COMPANY</b>	)	
<b>FROM MAY 1, 2021 THROUGH</b>	)	
<b>OCTOBER 31, 2021</b>	)	

**RESPONSE TO AND OBJECTION BY**  
**KENTUCKY UTILITIES COMPANY TO REQUEST**  
**FOR INSPECTION OF CONFIDENTIAL MATERIALS**

Kentucky Utilities Company (“KU”) responds and objects to the request of Foresight Coal Sales through discovery in the litigation pending in the Eastern District of Kentucky, United States District Court involving KRS 278.277 to produce the fuel bid sheets filed by KU with and afforded confidential protection by the Commission in the above-referenced case.

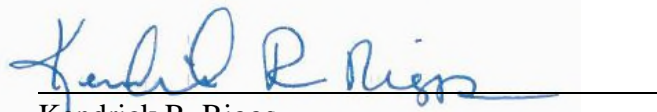
KU objects to any production of the fuel bid sheet information to any third-party fuel vendor at any time and under any conditions. The fuel bid sheets contain information on how KU evaluates the responses to its requests for fuel supply proposals and thus provide highly commercially sensitive information to vendors in a competitive fuel market. This information is protected from any public disclosure by KU and is filed with requests for confidential protection with the Commission. Fuel vendors responding to the coal solicitations expect the data in their bid proposals to be held in confidence and not disclosed to other vendors or the public. Disclosure to any fuel vendor, including Foresight Coal Sales, at minimum would provide a competitive advantage to the vendor to the disadvantage of other vendors and prejudice KU from receiving fully competitive fuel supply bids at the lowest reasonable cost. The cost of fuel is a significant expense for electric utilities like KU, accounting for approximately thirty cents or more of every

dollar of expense to provide electric service. Disclosure of this highly sensitive competitive information would likely harm KU's retail electric customers through higher rates for service due to higher fuel costs.

**WHEREFORE**, Kentucky Utilities Company respectfully requests that the Commission deny the request of Foresight Coal Sales for the production of the fuel bid sheets filed by KU with and afforded confidential protection by the Commission in the above-referenced case.

Dated: June 26, 2023

Respectfully submitted,



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**CERTIFICATE OF SERVICE**

In accordance with the Commission's Order of July 22, 2021 in Case No. 2020-00085 (Electronic Emergency Docket Related to the Novel Coronavirus COVID-19), this is to certify that the electronic filing has been transmitted to the Commission on June 26, 2023, and that there are currently no parties in this proceeding that the Commission has excused from participation by electronic means.



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*Counsel for Kentucky Utilities Company*