

**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. 2022-00266</b>
<b>ADJUSTMENT CLAUSE OF</b>	)	
<b>LOUISVILLE GAS AND ELECTRIC</b>	)	
<b>COMPANY FROM NOVEMBER 1, 2021</b>	)	
<b>THROUGH APRIL 30, 2022</b>	)	

**RESPONSE TO AND OBJECTION BY**  
**LOUISVILLE GAS AND ELECTRIC COMPANY TO REQUEST**  
**FOR INSPECTION OF CONFIDENTIAL MATERIALS**

Louisville Gas and Electric Company (“LG&E”) 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 LG&E with and afforded confidential protection by the Commission in the above-referenced case.

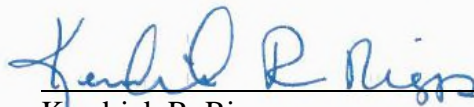
LG&E objects to any production of the fuel bid sheet information to any third-party fuel vendor at any time and under any conditions. The fuel bid sheets contain information on how LG&E evaluates the responses to its requests for fuel supply proposals and thus provide highly commercially sensitive information to vendors in a competitive fuel market. This information is protected from any public disclosure by LG&E 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 LG&E from receiving fully competitive fuel supply bids at the lowest reasonable cost. The cost of fuel is

a significant expense for electric utilities like LG&E, 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 LG&E's retail electric customers through higher rates for service due to higher fuel costs.

**WHEREFORE,** Louisville Gas and Electric Company respectfully requests that the Commission deny the request of Foresight Coal Sales for the production of the fuel bid sheets filed by LG&E with and afforded confidential protection by the Commission in the above-referenced case.

Dated: June 26, 2023

Respectfully submitted,



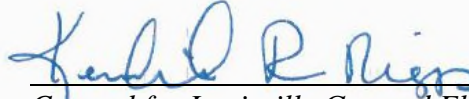
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*Counsel for Louisville Gas and Electric Company*

**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.

A handwritten signature in blue ink, appearing to read "Harold R. Nigg", is written over a horizontal line.

*Counsel for Louisville Gas and Electric Company*