

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the matter of:)
)
THE ELECTRONIC PURCHASED GAS) Case No. 2022-00360
ADJUSTMENT FILING OF COLUMBIA GAS OF)
KENTUCKY, INC.)

COLUMBIA GAS OF KENTUCKY, INC.'S
MOTION FOR CONFIDENTIAL TREATMENT

Columbia Gas of Kentucky, Inc., (“Columbia”), by and through counsel, pursuant to KRS 61.878 and 807 KAR 5:001, Section 13, petitions the Kentucky Public Service Commission (“Commission”) to afford confidential treatment to information accompanying Columbia’s Quarterly Gas Cost Adjustment (“GCA”), and respectfully states as follows:

1. Concurrent with this Motion, Columbia is filing its quarterly GCA Report, pursuant to Sixth Revised Sheet No. 28 of its Tariff on file with the Commission. In its order approving the most recent GCA update,¹ the Commission ordered that Columbia “shall submit all invoices it receives along with its monthly usage report for each month of the reporting period when it files its future GCA rate reports.”²

¹ Case No. 2022-00237, *Electronic Purchased Gas Adjustment Filing of Columbia Gas of Kentucky, Inc.* (Ky PSC Aug. 22, 2022).

² *Id.* at 3.

2. The GCA Report and the invoices being submitted to the Commission with this filing contain sensitive commercial information (“Sensitive Information”). This Sensitive Information includes the identity of Columbia’s suppliers, unit costs, volumes, and interconnection points.

3. KRS 61.878(1)(c)(1) provides for the protection of information “confidentially disclosed to an agency or required by an agency to be disclosed to it, generally recognized as confidential or proprietary, which if openly disclosed would permit an unfair commercial advantage to competitors of the entity that disclosed the records.”

4. Disclosure of the Sensitive Information would permit an unfair commercial advantage to its competitors. First, it would provide Columbia’s competitors with Columbia’s negotiated pricing, which could be used to outbid Columbia for supply contracts. This would present a competitive disadvantage for Columbia when competing for new and relocating customers. Moreover, Columbia also proposes to redact the identity of its natural gas suppliers. If the Sensitive Information is publicly disclosed, sophisticated stakeholders in the wholesale natural gas market would be able to link the identified suppliers with prices and volumes and use such information to Columbia’s disadvantage in future negotiations for the supply and transportation of natural gas. Because these costs are passed directly to ratepayers, disclosure of the Sensitive Information could unnecessarily increase the commodity cost component of customer

bills. Further, public disclosure of this Sensitive Information could potentially impact the negotiations of other distribution companies seeking similar contracts for gas supply, thus raising commodity prices throughout the Commonwealth.

5. The Sensitive Information is not otherwise publicly available and is protected by both Columbia and contractual parties through confidentiality agreements.

6. Columbia is unable to affirmatively quantify a time when public disclosure of the Sensitive Information would no longer present an unfair commercial impact, and therefore harm Columbia's customers. The Sensitive Information relates to a critical part of Columbia's operations and prices are negotiated with a regular cadence. As a result, Columbia respectfully requests that the Commission grant this Motion for Confidential Treatment for an indefinite period.

7. Recent precedent in a similar case provides the Commission with a model for granting confidential treatment of the exact same information at issue in this Motion. In a recent GCA update filing by Delta Natural Gas Company, Inc., the Commission provided confidential treatment for the same information contained in its GCA Report and accompanying invoices for an indefinite period.³

³ Case No. 2022-00191, *Electronic Purchased Gas Adjustment Filing of Delta Natural Gas Company, Inc.* (Ky PSC Sept. 12, 2022).

8. Columbia's GCA filing made today in conjunction with this Motion, to the extent possible, is being submitted to the Commission's public docket in redacted form and in an unredacted form under seal to Commission Staff.

9. The public interest of the Commonwealth will be served by granting this Motion. The free wholesale market for natural gas operates best when all participants compete on a level playing field. Public disclosure of the Sensitive Information would disrupt this full and fair competition.

WHEREFORE, on the basis of the foregoing, Columbia respectfully requests the Commission to enter an Order granting this Motion for Confidential Treatment and to so afford such protection from public disclosure to the Sensitive Information for an indefinite period.

This 28th day of October, 2022.

Respectfully submitted,

/s/ John R. Ryan

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