

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF)
DELTA NATURAL GAS COMPANY, INC.) CASE NO. 2023-00343
FOR ANNUAL PIPE REPLACEMENT PROGRAM)

DELTA NATURAL GAS COMPANY, INC.'S
PETITION FOR CONFIDENTIAL PROTECTION

Delta Natural Gas Company, Inc. (“Delta”), by counsel, pursuant to 807 KAR 5:001, Section 13, hereby petitions the Public Service Commission (“Commission”) to grant confidential protection for certain information that is being filed in response to Item No. 7 of Commission Staff’s First Request for Information, which is more fully described below:

Item No. 7 requests a copy of Delta’s distribution integrity management plan (“DIMP”), which Delta is providing. The Kentucky Open Records Act prohibits disclosure of records that, if publicly disclosed, would have a reasonable likelihood of threatening the public safety by exposing a vulnerability in preventing or protecting against a terrorist act. KRS 61.878(1)(m).

Delta’s DIMP contains information pertaining to its critical infrastructure systems. The DIMP is required by 49 CFR Part 192, Subpart P Distribution Integrity Management Programs. The DIMP contains detailed information related to Delta’s pipelines; specifically, threat evaluations on its distribution piping related to corrosion, natural forces, excavation damage, other outside force damage, material, weld or joint failure (including compression coupling), equipment malfunction, incorrect operation, and any other concerns that could threaten the integrity of the pipelines.

The Commission has previously granted requests for confidential protection for DIMP information due to its connection to critical energy infrastructure information.¹

The public interest will be served by granting this Petition by maintaining the security of Delta's pipeline system, which is of critical importance to all customers and the communities in which Delta serves. For these reasons, Delta respectfully requests that the confidential material should be treated as confidential for an indefinite period of time.

WHEREFORE, Delta Natural Gas Company, Inc. respectfully requests that the Commission classify and protect as confidential for an indefinite period of time Delta's DIMP that is provided in response to Item No. 7 of Commission Staff's First Request for Information.

¹ See, e.g., *In the Matter of: Electronic Application of Navitas KY NG, Johnson County Gas Company, and B&H Gas Company for Approval of Acquisition, Transfer of Ownership, and Control of Natural Gas Utility Systems* (Case No. 2020-00396) Apr. 28, 2021 ("However, the DIMP contains information pertaining to critical infrastructure systems. Therefore, the Commission finds that the designated material in Applicant's response to Staff's First Request, Item 11(a), is exempt from public disclosure under KRS 61.878(1)(m)...").

Dated December 4, 2023

Respectfully submitted,

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Inc.

CERTIFICATE OF COMPLIANCE

In accordance with 807 KAR 5:001, Section 8(7), this is to certify that Delta's December 4, 2023 electronic filing is a true and accurate copy of the documents being filed in paper medium; that the electronic filing has been transmitted to the Commission on December 4, 2023; and that there are currently no parties that the Commission has excused from participation by electronic means.

s/Monica H. Braun
Counsel for Delta Natural Gas Company,
Inc.

