

**COMMONWEALTH OF KENTUCKY**

**BEFORE THE PUBLIC SERVICE COMMISSION**

In the matter of: )  
 )  
ELECTRONIC APPLICATION OF COLUMBIA )  
GAS OF KENTUCKY, INC. TO CONTINUE ITS ) Case No. 2024-00012  
GAS COST INCENTIVE ADJUSTMENT )  
PERFORMANCE BASED RATE MAKING )  
MECHANISM )

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

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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 Response to Commission Staff’s First Request for Information, and respectfully states as follows:

1. Concurrent with this Motion, Columbia is filing its response to the Commission Staff’s First Request for Information dated April 23, 2024, pursuant to the Commission’s April 9, 2024 Procedural Order. Request No. 12 asks that Columbia “[p]rovide a list of any Columbia Kentucky discounted contracts that are currently in effect, provide a copy of each contract, and provide the expiration date of each contract” (the “Request”).

2. Columbia's response to the Request includes two attachments containing copies of contracts. Most of the information contained within these contracts are available publicly (for example, the contract prices and expiration dates). However, the contract contained in 2024-00012 PSC Staff DR Set 1 No. 12 Attachment B includes the meter numbers as well as the name of a meter serving as a delivery point which could identify the meter's location. This information is sensitive commercial information ("Sensitive Information").

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 Columbia's competitors. Coupled with other information that is publicly available (for example, the volumes procured by Columbia from this specific interstate pipeline operator, the duration of the contract, and the price of the contract), the Sensitive Information could provide Columbia's competitors and other sophisticated stakeholders with valuable insights into the details of Columbia's distribution system. If the Sensitive Information is publicly disclosed, it could be used to Columbia's disadvantage in future negotiations for the supply and transportation of natural gas. Because the costs of supply

and transportation are passed directly to customers, disclosure of the Sensitive Information could unnecessarily increase the commodity cost component of customer bills.

5. The Sensitive Information is not otherwise publicly available and is protected by both Columbia and the other contracting party.

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. As a result, Columbia respectfully requests that the Commission grant this Motion for Confidential Treatment for an indefinite period.

7. Recent precedent provides the Commission with a model for granting confidential treatment of information the release of which could cause similar impacts. In Columbia's most recent GCA update filings, the Commission provided confidential treatment for information, the disclosure of which would have a harmful impact on the market for natural gas, for an indefinite period.<sup>1</sup>

8. Columbia's 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

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<sup>1</sup> See, for example, Case No. 2024-00011, *Electronic Purchased Gas Adjustment Filing of Columbia Gas of Kentucky, Inc.* (Feb. 26, 2024); Case No. 2023-00141, *Electronic Purchased Gas Adjustment Filing of Columbia Gas of Kentucky, Inc.* (Ky PSC Jan. 10, 2024); Case No. 2023-00028, *Electronic Purchased Gas Adjustment Filing of Columbia Gas of Kentucky, Inc.* (Ky PSC Aug. 10, 2023); Case No. 2022-00360 *Electronic Purchased Gas Adjustment Filing of Columbia Gas of Kentucky, Inc.* (Ky PSC Dec. 13, 2022); and Case No. 2022-00191, *Electronic Purchased Gas Adjustment Filing of Delta Natural Gas Company, Inc.* (Ky PSC Sept. 12, 2022).

an unredacted form under seal to Commission Staff.

9. The public interest of the Commonwealth will be served by granting this Motion. Public disclosure of the Sensitive Information would disrupt the full and fair competition in the market for natural gas.

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 8<sup>th</sup> day of May, 2024.

Respectfully submitted,

*/s/ John R. Ryan* \_\_\_\_\_

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