

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

In the Matter of:

Electronic Application of Jackson Purchase )	
Energy Corporation for a Certificate of )	
Public Convenience and Necessity )	Case No. 2024-00013
Authorizing the Installation of a New )	
Advanced Metering Infrastructure (AMI) )	
System )	

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**Motion for Confidential Treatment**

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Comes now, Jackson Purchase Energy Corporation (“Jackson Purchase” or the “Company”), pursuant to KRS 61.878, 807 KAR 5:0001, Section 13, and other applicable law and requests the Kentucky Public Service Commission (Commission) afford confidential treatment for certain portions of Jackson Purchase’s Application and related exhibits filed in this proceeding. Jackson Purchase respectfully states as follows:

1. Contemporaneously with this Motion, Jackson Purchase has filed an Application requesting an Order from the Commission granting a Certificate of Public Convenience and Necessity (CPCN) for a new advanced metering infrastructure (AMI) system.

2. As exhibits to the Application, Jackson Purchase has provided information about the bids involved in the request for proposal (RFP) for the installation of the AMI meters. Specifically, Exhibit 1 to the Application includes cost comparisons of bids received and were then presented to the Board of Directors; Exhibits 2, 3 and 4 to the Application includes the costs included in the bid of Aclara, Quality Resources, and Luthan

Electric Meter Testing; and Exhibit 5 contains fifteen year costs as well as installed costs from all bids received from the RFP. These items are referred to herein collectively as the “Confidential Information”

3. KRS 61.878(1)(c)(1) protects “records 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 competitor of the entity that disclosed the records.” (KRS 61.878 (1)(c)(1)) Jackson Purchase is in a competitive environment. The Confidential Information is generally recognized as confidential and proprietary and public disclosure of the Confidential Information would permit an unfair commercial advantage to Jackson Purchase’s competitors.

4. The Confidential Information consists of information about bids received from third-party vendors for the AMI system in response to Jackson Purchase’s RFP. The Confidential Information also includes cost comparisons of the bids received and other details about the AMI system in the third-party bids. Jackson Purchase has the preferred vendors chosen, however no contracts have been executed or fully drafted at this time. Therefore, Jackson Purchase is requesting confidential treatment for the information contained in what may eventually become the winning bids. If the contract is not fully executed the release of the information could give other third-party vendors pricing information for the project. If the Confidential Information is disclosed before the contract is fully executed the Confidential Information would permit Jackson Purchase’s competitors an unfair commercial advantage and could hinder Jackson Purchase’s ability to receive bids for future RFPs. This could result in Jackson Purchase receiving fewer bids

and ultimately having to pay a higher cost for products in the future which would cause harm to Jackson Purchase and its members.

5. The Confidential Information is proprietary information that is retained by Jackson Purchase on a “need-to-know” basis and that is not publicly available. The Confidential Information is distributed within Jackson Purchase only to those employees who must have access for business reasons, and is generally recognized as confidential and proprietary in the energy industry.

6. Jackson Purchase does not object to limited disclosure of the Confidential Information described herein, pursuant to an acceptable confidentiality and nondisclosure agreement, to intervenors with a legitimate interest in reviewing the same for the sole purpose of participating in this case.

7. In accordance with the provisions of 807 KAR 5:001, Section 13(2), Jackson Purchase is filing one (1) copy of the unredacted Application and exhibits separately under seal with the Confidential Information highlighted or otherwise denoted.

8. In accordance with the provisions of 807 KAR 5:001, Section 13(2), Jackson Purchase respectfully requests that the Confidential Information be withheld from public disclosure indefinitely.

9. If, and to the extent, the Confidential Information becomes publicly available or otherwise no longer warrants confidential treatment., Jackson Purchase will notify the Commission and have its confidential status removed, pursuant to 807 KAR 5:001 Section 13(10).

WHEREFORE, Jackson Purchase respectfully requests that the Commission grant indefinite confidential treatment to the documents contained in Exhibit 1, Exhibit 2, Exhibit

3, Exhibit 4, and Exhibit 5 and protect the information from public disclosure.

Respectfully submitted,

*Heather Temple*

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