

**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 exhibits contained in Jackson Purchase’s Responses to Commission Staff’s First Request for Information (Staff’s First Request) find in this proceeding. Jackson Purchase respectfully states as follows:

1. Contemporaneously with this Motion, Jackson Purchase has filed its responses to Staff’s First Request for Information. As part of the responses, Jackson Purchase has filed exhibits that contain confidential, sensitive, and proprietary information.
2. Specifically, Jackson Purchase has provided, as Exhibit A to Jackson Purchase’s Response to Staff’s First Request, Item 1 which contains a presentation for Jackson Purchase’s Board. Exhibit B to Jackson Purchase’s Response to Staff’s First Request, Item 2 contains information about the vendors whose bids were not selected by Jackson Purchase. Exhibit D to Jackson Purchase’s Response to Staff’s First Request, Item

5 contains names and addresses of Jackson Purchase's members communication with the current meter manufacturer.

3. KRS 61.878(1)(a) prevents disclosure of personal information that if disclosed would constitute an invasion of personal privacy. 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)(i) allows for the protection of correspondence with private individuals.

4. Jackson Purchase operates in a competitive environment. The information for which confidential protection is sought is generally recognized as confidential and proprietary. Public disclosure of the Confidential Information would permit an unfair commercial advantage to Jackson Purchase's competitors.

5. The confidential information in Exhibit A to Jackson Purchase's Response to Staff's First Request, Item 1 contains a presentation to Jackson Purchase's Board of Directors which discloses the manner the responses to the RFP were evaluated and ultimately selected. The confidential information in Exhibit B to Jackson Purchase's Response to Staff's First Request, Item 2 contains all of the RFP responses from vendors, including the chosen vendor. Jackson Purchase is requesting confidential treatment for the entirety of Exhibit A and Exhibit B pursuant to KRS 61.878(1)(c)(1) because if the bids and the selection process by Jackson Purchase's Board of Directors are disclosed, Jackson Purchase's competitors would have an unfair commercial advantage in negotiations for products in the future and would have access to Jackson Purchase's business strategies and

decision-making processes. At the time of this motion, Jackson Purchase has not executed the final contract with Aclara and is requesting confidential treatment of this portion of Exhibit B only until the contract is finalized. If the contract is disclosed prior to execution, Jackson Purchase could face commercial harm if the contract is ultimately not executed. The other vendors would know how much Jackson Purchase was prepared to pay for the meter system which could be to the detriment of Jackson Purchase and its members.

6. The confidential information in Exhibit D to Jackson Purchase's Response to Staff's First Response, Item 5 contains service orders for the current meter system. The service orders contain personal information of Jackson Purchase's members. The personal identifying information is being redacted pursuant to 807 KAR 5:001, Section 10 (a)(7) and a redacted copy is being filed.

7. Also, in Exhibit D to Jackson Purchase's Response to Staff's First Request, Item 5, is correspondence with Eaton regarding issues with the meters. This information should be granted confidential protection pursuant to KRS 61.878(1)(i) because it is correspondence with a private company related to meter issues.

8. 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.

9. 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.

10. 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.

11. 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.

12. 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 for the entirety of Exhibit A and Exhibit B, except the information regarding the bid from Aclara which will be disclosed as soon as the contract is finalized, and for portions of Exhibit D that were provided as part of Jackson Purchase's Responses to Staff's First Request.

Respectfully submitted,

*Heather Temple*

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