

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the matter of:

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| THE ELECTRONIC APPLICATION OF |) | |
| COLUMBIA GAS OF KENTUCKY, INC. |) | CASE NO. |
| FOR AN ADJUSTMENT OF RATES; |) | 2024-00092 |
| APPROVAL OF DEPRECIATION STUDY; |) | |
| APPROVAL OF TARIFF REVISIONS; AND |) | |
| OTHER RELIEF |) | |

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

Comes now Columbia Gas of Kentucky, Inc., (“Columbia”), by and through counsel, pursuant to KRS 61.878, 807 KAR 5:001, Section 13 and other applicable law, and requests that the Kentucky Public Service Commission (“Commission”) afford confidential treatment to certain information filed in its update to the estimated months of its base period. In support of the motion Columbia respectfully states as follows:

1. On May 16, 2024, Columbia filed its Application in the above styled proceeding that contained various testimony, schedules, and information.
2. As part of the Application, Columbia filed Tab 85 which contained an analysis of payroll costs and executive compensation as required by 807 KAR 5:001, Section 16(8)(g).

3. Along with the Application, Columbia filed a motion for confidential treatment for the information contained in Schedule G-2 in Tab 85 regarding executive compensation. In that motion, which is still pending before the Commission, Columbia requested confidential treatment for the information even though it must be reported in annual filings with the Securities and Exchange Commission (SEC), because it had not been reported at the time of filing the Application. The executive compensation found in Tab 85 of the Application and in the updated Schedule G-2 being filed contemporaneously with this motion, is based upon assumptions regarding forward-looking earnings-related information or stock-based information that may be considered material, non-public information. This information has still not been reported in the annual SEC filings.

4. Additionally, Tab 85 of the Application and this updated Schedule G-2 contains wage and salary information for certain employees of Columbia which is not reported publicly in SEC filings, or elsewhere. Compensation is personal in nature and if disclosed could violate Columbia's employees' reasonable expectations of personal privacy with regard to compensation. Further, making this information public may provide other entities with information that could be used to Columbia's disadvantage when recruiting and retaining executive management.

5. KRS 61.878(1)(a) allows the confidential protection of information that is personal in nature and where disclosure would constitute a clearly unwarranted invasion

of personal privacy. KRS 61.878(1)(c)(1) allows confidential protection of information that is generally recognized as confidential or proprietary, which if disclosed would permit an unfair commercial advantage to competitors. The Kentucky courts have upheld these protections for information provided, *Zink v. Department of Workers Claims, Labor Cabinet*, 902 S.W.2d 825 (Ky. App. 1994); *Hoy v. Kentucky Industrial Revitalization Authority*, 907 S.W.2d 766, 768 (Ky. 1995).

6. The information in Tab 85 of the Application and in the updated Schedule G-2 being filed, meets both the requirements for confidential protection pursuant to KRS 61.878(1)(a) and KRS 61.878(1)(c)(1) because it is personal salary information and it is generally recognized as confidential.

7. Columbia does not object to limited disclosure of the Confidential Information, pursuant to an acceptable confidentiality and nondisclosure agreement, to any intervenors with a legitimate interest in reviewing the same for the sole purpose of participating in this case. Columbia reserves the right to object to sharing the Confidential Information with any party that may have a mixed motive for accessing the Confidential Information, that may be a competitor of Columbia in any market, who may have a commercial conflict of interest or for any other reason.

8. In accordance with the provisions of 807 KAR 5:001, Section 13(2), Columbia is filing one copy of the Confidential Information separately under seal. The

filing of the Confidential Information is noted in the public version of Columbia's responses, which include redacted copies of such information.

9. In accordance with the provisions of 807 KAR 5:001, Section 13(3), Columbia respectfully requests that the documents be withheld from public disclosure for a period of five years. This will assure that the Confidential Information – if disclosed after that time – will be less likely to include information that continues to be commercially sensitive so as to impair the interests of Columbia if publicly disclosed.

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 unredacted copies of the updated Schedule G-2, which is filed herewith under seal, for the periods set forth herein.

This the 17th day of October, 2024.

Respectfully submitted,



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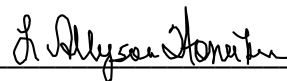
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CERTIFICATE OF SERVICE

This is to certify that the foregoing electronic filing was transmitted to the Commission for filing on October 17, 2024; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; by virtue of the Commission's July 22, 2021 Order in Case No. 2020-00085, no paper copies of this filing will be made.



Counsel for Columbia Gas of Kentucky, Inc.