

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF DELTA)	
NATURAL GAS COMPANY, INC. FOR)	
DECLARATORY ORDER THAT THE)	
REPLACEMENT OF ENCODER)	
RECEIVER TRANSMITTER METERS)	
WITH SIMILAR METERS ARE ORDINARY)	CASE NO. 2024-00135
EXTENSIONS IN THE USUAL COURSE OF)	
BUSINESS AND DO NOT REQUIRE A)	
CERTIFICATE OF PUBLIC)	
CONVENIENCE AND NECESSITY)	

**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 pricing information that is contained in its Application, which is more fully described below:

In its Application for Declaratory Order, Delta provides the current prices for various metering equipment it has been able to obtain from its vendor. Disclosure of the pricing would damage Delta’s competitive position and business interests.

The Kentucky Open Records Act exempts from disclosure certain commercial information. KRS 61.878(1)(c). To qualify for this exemption and maintain the confidentiality of the information, a party must establish that disclosure of the commercial information would permit an unfair advantage to competitors of that party. If the prices at which Delta obtains meters and meter-related equipment are publicly disclosed, it would injure Delta’s ability to negotiate lower prices for the equipment, as suppliers may see the current prices as the floor and refuse to offer lower

prices. This would unfairly advantage the equipment providers to the detriment of Delta and its customers. The Commission has repeatedly held that the disclosure of cost-specific information can put utilities “at a future disadvantage in its negotiations with vendors.”¹ This is precisely Delta’s concern, as current and potential vendors would have competitive information regarding Delta’s meter costs that would place Delta at a disadvantage in future negotiations.

The pricing information for which Delta is seeking confidential protection is not known outside of Delta and the vendor and is not disseminated within Delta except to those employees with a legitimate business need to know and act upon such information.

The public interest will be served by granting this Petition in that competition among Delta’s prospective vendors will be fostered and the cost of metering equipment to Delta’s customers will thereby be minimized. For this reason, Delta respectfully requests that the confidential material should be treated as confidential for five years.

WHEREFORE, Delta Natural Gas Company, Inc. respectfully requests that the Commission classify and protect as confidential for five years the meter pricing information in its Application.

Dated May 7, 2024

Respectfully submitted,

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¹ Case No. 2023-00191, *Electronic Application of Kentucky-American Water Company for an Adjustment of Rates, a Certificate of Public Convenience and Necessity for Installation of Advanced Metering Infrastructure, Approval of Regulatory and Accounting Treatments, and Tariff Revisions*, (Ky. PSC Dec. 11, 2023), Order at 7; Case No. 2016-00026, *Application of Kentucky Utilities Co. for Certificates of Pub. Convenience & Necessity & Approval of Its 2016 Compliance Plan for Recovery by Env't Surcharge*, (Ky. PSC Sept. 27, 2016), Order at 1-2.

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

CERTIFICATE OF COMPLIANCE

In accordance with 807 KAR 5:001, Section 8(7), this is to certify that Delta's May 7, 2024 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 May 7, 2024; 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.