

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC 2024 JOINT INTEGRATED)	
RESOURCE PLAN OF LOUISVILLE GAS)	
AND ELECTRIC COMPANY AND)	CASE NO. 2024-00326
KENTUCKY UTILITIES COMPANY)	

JOINT PETITION OF
LOUISVILLE GAS AND ELECTRIC COMPANY
AND KENTUCKY UTILITIES COMPANY
FOR CONFIDENTIAL PROTECTION

Louisville Gas and Electric Company (“LG&E”) and Kentucky Utilities Company (“KU”) (collectively, the “Companies”) petition the Kentucky Public Service Commission (“Commission”) pursuant to 807 KAR 5:001, Section 13 and KRS 61.878 to grant confidential protection for certain planning-related information they are required to submit in connection with their 2024 Integrated Resource Plan (“IRP”). Those portions of the 2024 IRP for which the Companies request confidential treatment, identified in Attachment A, can be divided into five general categories: (i) information regarding projected fuel costs and other power production information; (ii) information in reports received from third parties regarding long-term marketplace projections; (iii) information regarding projected sales prices and revenue requirements; (iv) personal customer-specific information; and (v) infrastructure information that, if publicly released, could threaten public safety. In support of this Joint Petition, the Companies state as follows:

Confidential Commercial Information – KRS 61.878(1)(c)(1)

1. Under the Kentucky Open Records Act, the Commission is entitled to withhold from public disclosure commercially sensitive information to the extent that open disclosure would permit an unfair commercial advantage to competitors of the entity disclosing the

information to the Commission.¹ Public disclosure of the information identified herein would, in fact, prompt such a result for the reasons set forth below.

Power Production and Supply-Side Alternative Information

2. The information regarding power production that the Companies wish to protect from public disclosure—including projected costs of fuel, production costs, coal combustion residuals sales prices, ammonia prices, emissions allowances prices, projected costs of energy purchases from the Ohio Valley Electric Corporation (“OVEC”), and generating unit maintenance schedules—is identified on the attachment hereto and in the filing submitted concurrently herewith. This information was developed internally by Companies’ personnel, is not on file with any public agency, is not available from any commercial or other source outside the Companies, and is distributed within the Companies only to those employees who must have access for business reasons. If the Commission grants public access to this information, LG&E and KU could be disadvantaged in negotiating commodity contracts in the future, and could also be disadvantaged in the wholesale energy market because fuel costs are important components of energy pricing.

Moreover, public disclosure of information relating to supply-side alternatives would reveal the procedures followed and the factors and inputs considered by the Companies in evaluating the viability of possible generation projects. Public disclosure would give the Companies’ contractors, vendors, and competitors access to the Companies’ cost and operational parameters, and insight into the Companies’ contracting practices. Public access to this information would impact the Companies’ ability to negotiate with prospective contractors and vendors, and could harm the Companies’ competitive position in the wholesale power market. All such commercial harms would ultimately harm LG&E’s and KU’s customers, who would

¹ KRS 61.878(1)(c)(1).

have to pay higher rates if the disclosed information resulted in higher commodity prices or adversely affected the Companies' generation asset procurement process or off-system energy sales. In addition, certain supply-side information concerns interruptible contract information specific to identifiable customers of the Companies and should be protected as sensitive commercial information that could cause harm the Companies and their customers if disclosed.

Third-Party Proprietary Information

3. The Companies are providing in support of their IRP proprietary information obtained from a third party, namely the S&P Global Market Intelligence "Executive Summary: US Economic Outlook May 2024," which is attached to IRP Volume II. S&P Global has authorized the confidential disclosure of this report, which contains information regarding long-range projections in the marketplace. As a player in a competitive market, S&P Global does not want confidential technical information or projections it has made to be publicly disclosed or to be used against it in future negotiations with other customers or by its competitors. If this proprietary information is disclosed, S&P Global and other third-party suppliers of the same kinds of information and analyses may be less willing to supply reports to the Companies in the future. Diminishing the Companies' ability to receive this information would harm both the Companies and their customers. This information should therefore be afforded confidential protection to protect the Companies and their customers.

Projected Sales Prices and Revenue Requirements

4. Information regarding projected sales prices and revenue requirements, as identified in the attachment hereto and in the filing submitted concurrently herewith, is also confidential information, the public disclosure of which would provide the Companies' competitors a commercial advantage in the wholesale market. Further, public disclosure of the

information would provide a commercial advantage to the Companies' retail and wholesale customers in the negotiation of power requirement contracts.

Confidential Personal Information – KRS 61.878(1)(a)

5. The Kentucky Open Records Act exempts from disclosure certain private and personal information.²

6. A portion of the Companies' IRP filing contains customer names and customer-specific hourly load assumption information. The identification of specific customer data is personal information that should not be in the public domain.

7. The Commission has previously granted confidential protection to similar customer-identifying information.³

Confidential Critical Energy Infrastructure Information – KRS 61.878(1)(m)

8. Critical energy infrastructure information ("CEII") is protected from public disclosure under KRS 61.878(1)(m)(1). The Kentucky Open Records Act exempts from public disclosure certain information that has a reasonable likelihood of threatening public safety by exposing a vulnerability, such as infrastructure records that disclose the "location, configuration, or security of critical systems," or "detailed drawings, schematics, maps, or specifications of structural elements, floor plans, and operating, utility, or security systems."⁴

² KRS 61.878(1)(a).

³ See, e.g., *Electronic Tariff Filing of Big Rivers Electric Corporation and Jackson Purchase Energy Corporation for Approval and Confidential Treatment of a Special Contract and Cost Analysis Information and a Request for Deviation from the Commission's September 24, 1990 Order in Administrative Case No. 327*, Case No. 2021-00282, Order at 19-21 (Ky. PSC Oct. 14, 2021) (granting indefinite confidential protection to materials containing projected power usage for a Bitcoin mining customer); *Electronic Application of Duke Energy Kentucky, Inc. for 1) An Adjustment of the Electric Rates; 2) Approval of New Tariffs; 3) Approval of Accounting Practices to Establish Regulatory Assets and Liabilities; and 4) All Other Required Approvals and Relief*, Case No. 2019-00271, Order at 9-10 (Ky. PSC May 4, 2020) (granting confidential protection for twenty years to materials containing projected power usage for Amazon Air Hub facility); *Application of Kentucky Utilities Company for an Adjustment of its Electric Rates*, Case No. 2012-000221, Order at 1-2 (Ky. PSC July 25, 2013) (granting indefinite confidential protection to materials containing customer names, account numbers, and usage information for customers served under All Electric School rate schedule).

⁴ KRS 61.878(1)(m)(1)(f).

9. The transmission information provided in Volume III of this IRP filing contains infrastructure records that could expose a vulnerability through the disclosure of the location, configuration, or security of public utility critical systems. If such information is made available in the public record, individuals seeking to induce public harm will have critical information concerning the present vulnerabilities of the Companies' transmission system. Knowledge of such vulnerabilities may allow a person to cause public harm through by disrupting the electric transmission system.

Confidential Information Subject to this Petition

10. With the exception of the S&P Global report, the information for which the Companies are seeking confidential treatment is not known outside of LG&E and KU, is not disseminated within LG&E and KU except to those employees with a legitimate business need to know and act upon the information, and is generally recognized as confidential and proprietary information in the energy industry. As discussed above, the S&P Global report is available only to those who purchase such information, and publicly disclosing the report would do commercial harm to S&P Global and likely the Companies, whose ability to purchase such information in the future could be compromised.

11. The Commission has consistently granted confidential protection to similar information in previous IRP cases.⁵

⁵ *Electronic 2018 Joint Integrated Resource Plan of Louisville Gas and Electric Company and Kentucky Utilities Company*, Case No. 2018-00348, Order (Ky. PSC Nov. 16, 2018); *2014 Joint Integrated Resource Plan of Louisville Gas and Electric Company and Kentucky Utilities Company*, Case No. 2014-00131, Order (Ky. PSC Aug. 9, 2019); *The 2011 Joint Integrated Resource Plan of Louisville Gas and Electric Company and Kentucky Utilities Company*, Case No. 2011-00140, Letter from Executive Director (Ky. PSC Oct. 10, 2011); *2008 Joint Integrated Resource Plan of LG&E and KU*, Case No. 2008-00148, Letter from Executive Director (Ky. PSC May 1, 2008); *2005 Joint Integrated Resource Plan of Louisville Gas and Electric Company and Kentucky Utilities Company*, Case No. 2005-00162, Letter from Executive Director (Ky. PSC Apr. 28, 2005); *The Joint Integrated Resource Plan of Louisville Gas and Electric Company and Kentucky Utilities Company*, Case No. 2002-00367, Letter from Executive Director (Ky. PSC Oct. 24, 2002); *The Joint Integrated Resource Plan of Louisville Gas and Electric Company and Kentucky Utilities Company*, Case No. 99-430, Letter from Executive Director (Ky. PSC Mar. 6, 2000). See also *Electronic 2021 Joint Integrated Resource Plan of Louisville Gas and Electric Company and*

12. The Companies will disclose the confidential information, pursuant to a confidentiality agreement, to intervenors with legitimate interests in the information and as required by the Commission.

13. If the Commission disagrees with this request for confidential protection, it must hold an evidentiary hearing (a) to protect the Companies' due process rights and (b) to supply the Commission with a complete record to enable it to reach a decision with regard to this matter.⁶

14. In compliance with 807 KAR 5:001, Section 13, LG&E and KU are providing written notification that the following two items are confidential in full: (1) the "S&P Global Market Intelligence Executive Summary: US Economic Outlook May 2024" included in IRP Volume II; and (2) the Transmission System Map included in IRP Volume III.

15. For all other items listed in Attachment A to this Petition, which are not entirely confidential, the Companies are filing with the Commission one electronic copy that identifies with redactions the information for which confidential protection is sought. In accordance with the Commission's March 24, 2020 and July 22, 2021 Orders in Case No. 2020-00085, the Companies will upload the unredacted copies noting the confidential information with highlighting to its encrypted file-share site for the Commission's retrieval. Access to the encrypted file-share site will be provided to intervenors pursuant to a confidentiality agreement.

16. Due to the serious security concerns related to the disclosure of CEII, the Companies request that the CEII identified in Attachment A remain confidential indefinitely. Due to the personally sensitive nature of customer-identifying information, the Companies request that the personal information identified in Attachment A remain confidential indefinitely.

Kentucky Utilities Company, Case No. 2021-00393, Petition for Confidential Protection (filed Oct. 19, 2021) (requesting confidential protection for similar information; petition not ruled upon).

⁶ *Utility Regulatory Commission v. Kentucky Water Service Company, Inc.*, 642 S.W.2d 591, 592-94 (Ky. Ct. App. 1982).

For all other requests for confidential protection, the Companies request that confidential protection be granted for five years due to the sensitive nature of the information at issue.

WHEREFORE, Louisville Gas and Electric Company and Kentucky Utilities Company respectfully request that the Commission grant confidential protection for all of the information described herein.

Dated: October 18, 2024

Respectfully submitted,



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CERTIFICATE OF SERVICE

In accordance with the Commission's Order of July 22, 2021 in Case No. 2020-00085 (Electronic Emergency Docket Related to the Novel Coronavirus COVID-19), this is to certify that the electronic filing has been transmitted to the Commission on October 18, 2024; and that there are currently no parties in this proceeding that the Commission has excused from participation by electronic means.



*Counsel for Louisville Gas and Electric Company
and Kentucky Utilities Company*

ATTACHMENT A

2024 IRP Confidential Information

<i>Confidential Information</i>	<i>Source of Claim</i>
<u>Volume I</u>	
• Table 8-8: Cost of Fuel (\$/MMBtu)	KRS 61.878(1)(c)(1)
• Table 8-10: Production Costs	KRS 61.878(1)(c)(1)
<u>Volume II</u>	
• S&P Global Market Intelligence Executive Summary: US Economic Outlook May 2024 (3 rd party report)	KRS 61.878(1)(c)(1)
• Load Forecasting Workpapers (KPSC Case No 2024-00326 -- LGE-KU 2024 IRP Load Forecasting Workpapers--CONFIDENTIAL.zip)	KRS 61.878(1)(a); KRS 61.878(1)(c)(1)
<u>Volume III</u>	
2024 IRP Technology Update	
• Table 1: Fully Dispatchable Resources (2030 Installation; 2030 Dollars)	KRS 61.878(1)(c)(1)
• Technology Screening Modeling Workpapers	KRS 61.878(1)(c)(1)
2024 IRP Resource Adequacy Analysis	
• Table 15: 2032 Delivered Natural Gas Prices (LG&E and KU; Nominal \$/mmBtu)	KRS 61.878(1)(c)(1)
• Table 16: 2032 Delivered Coal Prices (LG&E and KU; Nominal \$/mmBtu)	KRS 61.878(1)(c)(1)
• Table 17: Interruptible Contracts	KRS 61.878(1)(a)
• Resource Adequacy Modeling Workpapers	KRS 61.878(1)(c)(1)
2024 IRP Resource Assessment	
• Figure 7: Coal and Natural Gas Price Scenarios with a Mid Coal-to-Gas Price Ratio	KRS 61.878(1)(c)(1)
• Figure 8: Coal and Natural Gas Price Scenarios with Atypical Long-Term Coal-to-Gas Price Ratios	KRS 61.878(1)(c)(1)
• Table 33: Sales Prices for CCR Sales (\$/ton)	KRS 61.878(1)(c)(1)
• Figure 9: Natural Gas Price Forecasts (Henry Hub; Nominal \$/MMBtu)	KRS 61.878(1)(c)(1)
• Table 38: Coal and Natural Gas Price Scenarios (\$/mmBtu)	KRS 61.878(1)(c)(1)
• Figure 11: Comparison of Henry Hub Natural Gas Price History and Forecasts (Nominal \$/MMBtu)	KRS 61.878(1)(c)(1)
• Figure 13: Mid ILB Coal Price Forecast, 2023-2027 (Nominal \$/MMBtu)	KRS 61.878(1)(c)(1)
• Table 39: Ammonia Prices (wholesale nominal \$/ton)	KRS 61.878(1)(c)(1)
• Table 40: Emission Allowance Prices (nominal \$/ton)	KRS 61.878(1)(c)(1)
• Resource Assessment Modeling Workpapers	KRS 61.878(1)(c)(1)

Volume III continued

2024 IRP – Transmission Section	
<ul style="list-style-type: none"> • Transmission System Map 	KRS 61.878(1)(m)(1)
<ul style="list-style-type: none"> • Generation Replacement & Retirement Scenarios – Impact to the LG&E/KU Transmission System <ul style="list-style-type: none"> - Scenario 1 (Brown 3 with NGCC at Brown 345) - Scenario 2b (Ghent 1 and 2 with NGCC at Brown 345) - Scenario 2c (Ghent 1 and 2 with NGCC at Mill Creek 345) - Scenario 2d (Ghent 1 and 2 with NGCC at Trimble Co 345 kV) - Scenario 2e (Ghent 1 and 2 with NGCC at Green River 138 kV) - Scenario 2f (Ghent 1 and 2 with NGCC at Cane Run NGCC 138 kV) - Scenario 3a (Ghent 3 and 4 with NGCC at Ghent 345 kV) - Scenario 3b (Ghent 3 and 4 with NGCC at Brown 345) - Scenario 3c (Ghent 3 and 4 with NGCC at Mill Creek 345) - Scenario 3d (Ghent 3 and 4 with NGCC at Trimble Co 345 kV) - Scenario 3e (Ghent 3 and 4 with NGCC at Green River 161 kV) - Scenario 3f (Ghent 3 and 4 with NGCC at Cane Run NGCC 138 kV) 	KRS 61.878(1)(m)(1)
<ul style="list-style-type: none"> • Long-Term Firm Transfer Analysis – Impact to the LG&E/KU Transmission System <ul style="list-style-type: none"> - Summer Export from MISO and Import to LG&E/KU - Summer Export from PJM and Import to LG&E/KU - Summer Export from TVA and Import to LG&E/KU - Winter Export from MISO and Import to LG&E/KU - Winter Export from PJM and Import to LG&E/KU - Winter Export from TVA and Import to LG&E/KU 	KRS 61.878(1)(m)(1)
2024 IRP Resource Planning Workpapers	
<ul style="list-style-type: none"> • Resource Planning Workpapers (KPSC Case No 2024-00326 -- LGE-KU 2024 IRP Resource Planning Workpapers-- CONFIDENTIAL.zip) 	KRS 61.878(1)(a); KRS 61.878(1)(c)(1)