

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

**In the Matter of:**

<b>ELECTRONIC APPLICATION OF</b>	)	
<b>LOUISVILLE GAS AND ELECTRIC</b>	)	
<b>COMPANY FOR AUTHORITY TO</b>	)	<b>CASE NO. 2025-00104</b>
<b>TRANSFER THE RIVERPORT</b>	)	
<b>DISTRIBUTION CENTER PURSUANT</b>	)	
<b>TO KRS 278.218</b>		

**PETITION OF  
LOUISVILLE GAS AND ELECTRIC COMPANY  
FOR CONFIDENTIAL PROTECTION**

Louisville Gas and Electric Company ("LG&E" or "Company") petitions the Kentucky Public Service Commission ("Commission") pursuant to 807 KAR 5:001, Section 13, and KRS 61.878 to grant confidential protection for certain information the Company is providing in response to Commission Staff's First Request for Information, Item No. 2 ("PSC 1-2"). In support of this Petition, LG&E states as follows:

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

1. The Kentucky Open Records Act exempts from disclosure certain records that if openly disclosed would permit an unfair commercial advantage to competitors of the entity that disclosed the records.<sup>1</sup> Public disclosure of the information identified herein would prompt such a result for the reasons set forth below.

2. As an attachment in response to PSC 1-2, LG&E is providing a third-party appraisal report of its Riverport Central Service Shop located 7301 Distribution Drive in Louisville, Kentucky, which property LG&E seeks to market and sell. This appraisal report was prepared by

---

<sup>1</sup> KRS 61.878(1)(c)(1).

third party Tamplin & Co. at LG&E's request and expense. LG&E has no publication rights associated with the report. The appraisal report states that it may neither be used by any person or corporation other than LG&E nor copied without the written consent of the signing appraisers.

3. Public disclosure of the third-party appraisal report would cause competitive harm to LG&E because it would disadvantage the Company in negotiating the sale of the Riverport Central Service Shop. Potential buyers could obtain access to the appraisal report and utilize the highly relevant and proprietary information contained within the report to affect the ultimate purchase price of the Riverport Central Service Shop. Public disclosure of the appraisal report could result in a less competitive sales process for the Riverport Central Service Shop, which in turn could affect the sum realized by LG&E upon the sale of the property.

4. In addition, public disclosure of the appraisal report could give participants in the broader commercial real estate market a material, unfair advantage in future property sales conducted by LG&E as a result of knowing the values and assumptions and other business-sensitive decisions and activities undertaken by LG&E as set forth in the appraisal report.

5. Because the third-party appraisal report contains commercially sensitive information that is not publicly available and is critical to the success of LG&E's foreseeable real estate transactions and to the effective execution of the Company's business decisions and strategies, it should be afforded confidential protection pursuant to KRS 61.878(1)(c)(1).

6. The Commission has previously granted confidential protection to real estate appraisal reports under similar circumstances.<sup>2</sup>

---

<sup>2</sup> See, e.g., Electronic Application of Big Rivers Electric Corporation for a Certificate of Public Convenience and Necessity Authorizing Construction of a New Headquarters Facility and an Order Authorizing Big Rivers to Sell its Existing Headquarters Facility, Case No. 2021-00314, Order at 5-6 (Ky. PSC Sept. 27, 2022); Electronic Application of Jackson Purchase Energy Corporation for a Certificate of Public Convenience and Necessity to Construct a New Headquarters Facility, Case No. 2019-00326, Order at 1-2 (Ky. PSC Jan. 14, 2020).

**Confidential Information Subject to this Petition**

7. The information for which LG&E is seeking confidential treatment is not known outside of LG&E, the third-party appraisal firm, and LG&E's counsel, and it is not disseminated within LG&E except to those employees with a legitimate business need to know and act upon the information. Also, the Commission has previously stated that such information is generally recognized as confidential and proprietary.<sup>3</sup>

8. LG&E will disclose the confidential information, pursuant to a confidentiality agreement, to intervenors with a legitimate interest in this information and as required by the Commission. At this time, no person has requested intervention in this case.

9. If the Commission disagrees with this request for confidential protection, it must hold an evidentiary hearing (a) to protect the Company's 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.<sup>4</sup>

10. Pursuant to 807 KAR 5:001, Section 13(2)(b), for the attachment to PSC 1-2, LG&E is providing written notification that the document is confidential in its entirety. In accordance with the Commission's March 24, 2020 and July 22, 2021 Orders in Case No. 2020-00085, LG&E will provide a copy of the confidential document to the Commission by email.

11. Due to LG&E's lack of publication rights associated with the third-party appraisal report, LG&E requests that the attachment to PSC 1-2 remain confidential indefinitely. Alternatively, LG&E requests that the attachment to PSC 1-2 remain confidential until such time as the real estate transactions associated with the Riverport Central Service Shop have closed.

---

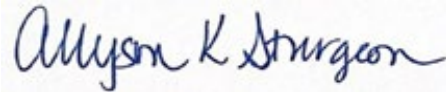
<sup>3</sup> See, e.g., Case No. 2021-00314, Order at 5 (Ky. PSC Sept. 27, 2022) ("[T]he Commission finds that ... the appraisal reports and estimated current value of BREC's existing headquarters is generally recognized as confidential or proprietary ...").

<sup>4</sup> Utility Regulatory Commission v. Kentucky Water Service Company, Inc., 642 S.W.2d 591, 592-94 (Ky. App. 1982).

**WHEREFORE**, Louisville Gas and Electric Company respectfully requests that the Commission issue an order granting protection from public disclosure for the confidential information specifically described in this petition.

Dated: April 28, 2025

Respectfully submitted,



Allyson K. Sturgeon  
Vice President and Deputy General Counsel  
-Regulatory  
PPL Services Corporation  
2701 Eastpoint Parkway  
Louisville, Kentucky 40223  
Telephone: (502) 627-2088  
Fax: (502) 627-3367  
asturgeon@pplweb.com

*Counsel for Louisville Gas and Electric Company*

#### **CERTIFICATE OF COMPLIANCE**

In accordance with the Commission's Order on 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 April 28, 2025; 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*