

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE ELECTRONIC APPLICATION OF)	
FARMERS RURAL ELECTRIC)	CASE NO.
COOPERATIVE CORPORATION)	2025-00107
FOR A GENERAL ADJUSTMENT OF RATES)	

MOTION FOR CONFIDENTIAL TREATMENT

Comes now Farmers Rural Electric Cooperative Corporation (“Farmers”), by counsel, pursuant to KRS 61.878, 807 KAR 5:001 Section 13, and other applicable law, and respectfully moves the Commission to afford confidential treatment to certain information and documents filed by Farmers in response to the requests for information propounded by Commission Staff and the Attorney General in the above-styled matter. In support of this request, Farmers states as follows:

1. Farmers filed an application for a general adjustment of rates on May 5, 2025. On July 1, 2025, Commission Staff issued its Third Request for Information (“Staff’s Third Request”). Farmers is filing responses to those requests for information contemporaneously herewith.

2. Farmers requests the Commission to afford confidential protection to certain information being filed by Farmers in response to Staff’s Third Request. The information provided is proprietary, personal, confidential, sensitive, and commercially valuable information. The response to Staff’s Third Request, Item 3 contains information regarding sensitive portions of Farmers’ system. The response to Staff’s Third Request, Item 5 contains a contract between

Farmers and a third-party. This information is collectively referred to as the “Confidential Information.”

3. The Kentucky Open Records Act and applicable precedent exempts the Confidential Information from disclosure, including KRS 61.878(1)(a); KRS 61.878(1)(c)(1) KRS 61.878(1)(m); *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). As stated above, the public disclosure of the Confidential Information would potentially harm Farmers’ competitive position in the marketplace which would be to the detriment of Farmers. Additionally, the Confidential Information is publicly unavailable, and its confidentiality is critical to Farmers’ effective execution of business decisions and strategy. For these reasons, the Confidential Information satisfies both the statutory and common law standards for affording confidential treatment.

4. The response to Staff’s Third Request, Item 3 contains information regarding Farmers system and the ability to remotely control load. Farmers believes this information should be granted confidential treatment pursuant to KRS 61.878(1)(m). If this information was disclosed, it carries the ability to threaten public safety by allowing others to have information on the ways Farmers can, or cannot, remotely control load.

5. The response to Staff’s Third Request, Item 5 contains a contract between Farmers and a third party. Farmers believes this contract should be granted confidential treatment pursuant to KRS 61.878(1)(c)(1). The contract is extended yearly, and if the contract was disclosed it could cause an unfair competitive advantage to competitors.

6. The Confidential Information clearly contains private information and is commercially valuable. The Confidential Information is proprietary information that is retained

by Farmers on a “need-to-know” basis and is only distributed by Farmers only to those holding select positions who must have access for business reasons, and it is generally recognized as confidential and proprietary in the utility industry and elsewhere.

7. Farmers does not object to limited disclosure of the Confidential Information described herein, pursuant to a confidentiality agreement, to intervenors with a legitimate interest in reviewing the same for the sole purpose of participating in this case.

8. Farmers is requesting confidential protection for the entirety of the documents provided in response to Staff’s Third Request, Item 5, so pursuant to 807 KAR 5:001, Section 13(2)(a)3.b a redacted version of the Confidential Information is not being filed. In regard to the information provided in response to Staff’s Third Request, Item 3, Farmers is only requesting certain information be granted confidential treatment, so Farmers is filing a version under seal with highlights. The filing of the Confidential Information is noted in the public version of all the responses.

9. Also, in accordance with the provisions of 807 KAR 5:001 Section 13(2), Farmers respectfully requests that the Confidential Information be withheld from public disclosure for an indefinite period.

10. If, and to the extent, the Confidential Information becomes publicly available or otherwise no longer warrants confidential treatment, Farmers will notify the Commission and seek to have confidential protection removed, pursuant to 807 KAR 5:001 Section 13(10).

WHEREFORE, on the basis of the foregoing, Farmers respectfully requests that the Commission classify and protect as confidential the specific Confidential Information described herein for an indefinite period.

This the 16th day of July, 2025.

Respectfully submitted,

Heather S. Temple

L. Allyson Honaker

Heather S. Temple

Meredith Cave

HONAKER LAW OFFICE PLLC

1795 Alysheba Way, Suite 6202

Lexington, Kentucky 40509

(859) 368-8803

allyson@hloky.com

heather@hloky.com

meredith@hloky.com

Counsel for Farmers Cooperative, Inc.

CERTIFICATE OF SERVICE

This is to certify that the electronic filing was transmitted to the Commission on July 16, 2025, and that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding. Pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085 no paper copies of this filing will be made.

Heather S. Temple

Counsel for Farmers Cooperative, Inc.