

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

**IN THE MATTER OF ELECTRONIC
APPLICATION OF KENTUCKY UTILITIES
COMPANY FOR AN ADJUSTMENT OF ITS
ELECTRIC RATES, AND APPROVAL OF
CERTAIN REGULATORY AND
ACCOUNTING TREATMENTS**

Case No. 2025-00113

**IN THE MATTER OF ELECTRONIC
APPLICATION OF LOUISVILLE GAS AND
ELECTRIC COMPANY FOR AN
ADJUSTMENT OF ITS ELECTRIC AND
GAS RATES, AND APPROVAL OF
CERTAIN REGULATORY AND
ACCOUNTING TREATMENTS**

Case No. 2025-00114

**THE UNITED STATES DEPARTMENT OF DEFENSE AND
ALL OTHER FEDERAL EXECUTIVE AGENCIES’
PETITION FOR CONFIDENTIAL TREATMENT OF COPYRIGHT MATERIALS**

The United States Department of Defense and all other Federal Executive Agencies (“DoD/FEA”), respectfully petitions the Kentucky Public Service Commission (“Commission”), pursuant to 807 KAR 5:001, Section 13 and KRS 61.878(1)(c)(1) to grant confidential protection for certain copyrighted material disclosed in response to Commission Staff’s First Request for Information to DoD/FEA. In support of this Petition, DoD/FEA further states:

1. On September 23, 2025, DoD/FEA filed its response to Commission Staff’s First Request for Information in each of the above captioned dockets. In response to Commission Staff’s request for DoD/FEA’s witness Michael P. Gorman’s workpapers, DoD/FEA produced

material relied on by Mr. Gorman in formulating the opinions found in Mr. Gorman's testimony, filed on August 29, 2025.

2. Included in Mr. Gorman's workpapers produced in response to Commission Staff's data request are materials identified as copyright protected. Each workpaper subject to copyright protection was labeled as copyright protected and included in an index of copyright protected workpapers. A copy of the Index identifying the copyright protected workpapers of Micael Gorman was filed with DoD/FEA's discovery response and is attached hereto as Exhibit "A."

3. Each of the copyright protected workpapers identified in Exhibit A and produced in response to Commission Staff's Request for Information was available to Mr. Gorman through subscription services that require the payment of subscription fees to access the information each service provides.

4. KRS 61.878(1)(c)(1) exempts "Records confidentially disclosed to an agency or required by an agency to be disclosed to it, generally recognized as confidential or proprietary, which if openly disclosed would permit an unfair commercial advantage to competitors of the entity that disclosed the records" from public disclosure.

5. DoD/FEA requests the Commission find that the copyrighted material available only to those that pay for a subscription to access the material be determined to be covered by KRS 61.878(1)(c)(1), since the records are proprietary to the subscription services and public production of the records would unfairly competitively disadvantage the companies that produce this information, if they are made available without requiring the payment of subscription fees.

6. DoD/FEA requests the individual documents identified in Exhibit A be kept confidential, so long as the material is copyright protection is in effect. In the alternative, DoD/FEA request the documents be kept confidential for at least five years.

WHEREFORE, the United States Department of Defense and all other Federal Executive Agencies respectfully requests the Commission remove from the public docket all documents identified in Exhibit A and filed on the public docket on September 23, 2025 and keep such documents confidential.

November 13, 2025

Respectfully submitted,

/s/ Kyle J Smith
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CERTIFICATE OF SERVICE

I, Kyle J Smith, representative for DoD/FEA, hereby certify that a copy of DoD/FEA's Petition for Confidential Treatment of Copyright Materials was served electronically on November 13, 2025, along with the Read1st Cover Letter, on the following:

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/s/ Kyle J Smith_____