

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	)	CASE NO. 2025-00113
OF CERTAIN REGULATORY AND	)	
ACCOUNTING TREATMENTS	)	

PETITION OF KENTUCKY UTILITIES COMPANY
FOR CONFIDENTIAL PROTECTION

Kentucky Utilities Company (“KU” or the “Company”) hereby petitions the Kentucky Public Service Commission (“Commission”) pursuant to 807 KAR 5:001, Section 13 and KRS 61.878(1) to grant confidential protection for the items described herein, which KU is producing in response to the fourth requests for information from Commission Staff (“PSC”) Item Nos. 13(b), 14, and 42.

Confidential or Proprietary Commercial Information (KRS 61.878(1)(c)(1))

1. The Kentucky Open Records Act exempts from disclosure information “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.”¹

QF Model Workpapers

2. Certain workpapers being filed in response to PSC 4-13(b) and PSC 4-14 contain variations of the qualifying facilities (“QF”) model workpapers that KU included in Exhibit CRS-7 of its Application. Portions of CRS-7, including the original QF model workpapers, were filed subject to a petition for confidential protection filed on May 30, 2025.²

¹ KRS 61.878(1)(c)(1).

² KU’s Petition for Confidential Protection at ¶¶ 8-12 (May 30, 2025).

3. The QF model workpapers being included as part of the Company's responses to PSC 4-13(b) and 4-14 contain the Company's internal fuel cost projections. If the Commission grants public access to this information, KU could be disadvantaged in negotiating fuel purchases in the future. The Company could also be disadvantaged in the wholesale energy market because fuel costs are important components of energy pricing. All such commercial harms would harm KU's customers, who would have to pay higher rates if the disclosed information resulted in higher fuel prices or adversely affected the Company's off-system energy sales. The Commission has previously granted requests to protect this information from public disclosure.³

4. The QF model workpapers being included as part of the Company's responses to PSC 4-13(b) and 4-14 also include cost components of the Company's long-term service agreements ("LTSA's"). Public disclosure of this information would reveal the procedures followed and the factors and inputs considered by the Company in evaluating the viability of potential generation projects. Public disclosure would give KU's contractors, vendors, and competitors access to the Company's cost and operational parameters, as well as insight into the Company's contracting practices. Public access to this information would, therefore, impact KU's ability to negotiate with prospective contractors and vendors and could harm the Company's competitive position in the wholesale power market. All such commercial harms would harm KU's customers, who would have to pay higher rates if the disclosed information resulted in higher fuel prices or adversely affected the Company's ability to negotiate favorable LTSA terms.

5. For these reasons, KU respectfully requests confidential treatment for Attachment 3 to its response to PSC 4-13(b) and the attachment to its response to PSC 4-14.

³ See, e.g., *Electronic Joint Application of Kentucky Utilities Company and Louisville Gas and Electric Company for Certificates of Public Convenience and Necessity and Site Compatibility Certificates and Approval of a Demand Side Management Plan and Approval of Fossil Fuel-Fired Generating Unit Retirements*, Case No. 2022-00402, Order (Ky. PSC Aug. 17, 2023); *Id.*, Order (Ky. PSC Aug. 31, 2023); *Id.*, Order (Ky. PSC Nov. 20, 2023).

BOSK Demand Rates

6. The excel file attached to KU's response to PSC 4-42 contains sensitive commercial information regarding the rates charged to an identifiable large load industrial customer. Specifically, the excel file identifies demand rates for the BlueOval SK ("BOSK") battery manufacturing facility. The demand rates for the Company's large industrial customers are a product of numerous factors unique to each customer, including the expected load profile of the project, variable cost coverage and contribution to fixed costs, and the size of the load.

7. The demand rates in the excel file are commercially sensitive and public disclosure of this information would impair KU's ability to negotiate future customer contracts. If disclosed, KU anticipates that the rates would establish a specific target for future negotiations with other industrial and commercial enterprises looking to locate in KU's service territory. Public disclosure, therefore, would impair KU's ability to negotiate future contracts on terms that are advantageous to the Company's other customers. The Commission has previously granted confidential treatment to this information during the Company's application for approval of its special contract with BlueOval SK.⁴

8. For these reasons, KU respectfully requests confidential treatment for portions of the excel file it is providing as part of the Company's response to PSC 4-42.

The Confidential Information Subject to This Petition

9. The information for which KU is seeking confidential treatment is not known outside of KU, except for its counsel and vendors. It is not disseminated within KU except to those employees with a legitimate business need to know the information and is generally recognized as confidential and proprietary information in the energy industry.

⁴ *Electronic Application of Kentucky Utilities Company for Approval of Special Contract between Kentucky Utilities Company and BlueOval SK, LLC*, Case No. 2023-00123, Order (Ky. PSC Nov. 3, 2023).

10. KU 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.

11. If the Commission disagrees with this request for confidential protection, it must hold an evidentiary hearing (a) to protect KU's due process rights and (b) to supply the Commission with a complete record to enable it to reach a decision regarding this matter.⁵

12. In compliance with 807 KAR 5:001, Section 13, KU is providing written notification that Attachment 3 to PSC 4-13(b) and the attachment to PSC 4-14 are confidential in full.

13. For the attachment to PSC 4-42, which is not entirely confidential, KU is filing with the Commission one electronic copy that identifies with redactions the information for which confidential protection is sought. Pursuant to the Commission's March 24, 2020 and July 22, 2021 Orders in Case No. 2020-00085, KU will upload the unredacted copy 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.

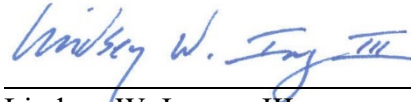
14. KU requests that the confidential information be kept confidential for at least five years from the date of this filing.

WHEREFORE, Kentucky Utilities Company respectfully requests that the Commission grant confidential protection for the information described herein.

⁵ *Utility Regulatory Commission v. Kentucky Water Service Company, Inc.*, 642 S.W.2d 591, 592-94 (Ky. App. 1982).

Dated: September 23, 2025

Respectfully submitted,



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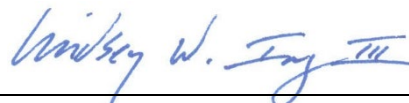
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CERTIFICATE OF SERVICE

In accordance 807 KAR 5:001, Section 8 as modified by 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 September 23, 2025; and that there are currently no parties in this proceeding that the Commission has excused from participation by electronic means.

A handwritten signature in blue ink, reading "Lindsey W. Foy III". The signature is written in a cursive style with a horizontal line extending from the end.

Counsel for Kentucky Utilities Company