

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	)	CASE NO. 2025-00113
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 providing as a part of its base period update to Tab 66 of the Company’s Application in this proceeding.

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

2. KU is requesting confidential protection for the proprietary information included as part of its base period update to Tab 66 of its Application, which the Company filed in this proceeding on May 30, 2025. Specifically, the Company is requesting confidential protection for the demand rates and other information related to the Company’s special contract with BlueOval SK, LLC (“BOSK”).

¹ KRS 61.878(1)(c)(1).

3. The BOSK special contract demand rates are the product of extensive negotiations with BOSK and constitute sensitive financial information meriting confidential treatment. Specifically, the negotiated demand rates contained in the special contract are a product of numerous factors unique to BOSK, including the expected load profile of the project, variable cost coverage and contribution to fixed costs, and the size of the customer's load.

4. Special contract rate information is commercially sensitive and public disclosure of this information would impair KU's ability to negotiate future customer contracts. If disclosed, KU anticipates the special contract rates would establish a specific target for future negotiations with other industrial and commercial enterprises looking to locate in KU's service territory. That data point could impair KU's ability to negotiate future contracts on terms that are advantageous to KU or to KU's other customers. The Commission has previously granted confidential treatment to commercially sensitive information, including demand rates, contained in KU's special contract with BOSK, and has regularly granted confidential protection for special contract rate information to prevent utility customers from gaining unfair commercial advantage in future negotiations with utilities.²

5. For these reasons, the KU requests confidential treatment for the special contract information contained in Tab 66 of the Company's base period update filing.

The Confidential Information Subject to This Petition

6. 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

² *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). See also *Electronic Application of Kentucky Power Company for Approval of a Contract for Electric Service with Braidy Industries, Inc.*, Case No. 2018-00418, Order at 2 (Ky. PSC Aug. 20, 2019) (granting confidential protection of the rate contained in a special contract where "public disclosure of the contract rate would result in unfair commercial injury to Kentucky Power by establishing a ceiling for future negotiations with industrial and commercial enterprises looking to locate in the company's service territory").

those employees with a legitimate business need to know the information, and is generally recognized as confidential and proprietary information in the energy industry.

7. 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.

8. 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 with regard to this matter.³

9. Because only the portions of Tab 66 relating to the BOSK special contract information are 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 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.

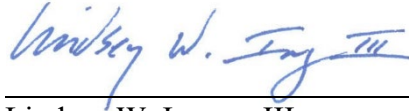
10. KU requests that the confidential information identified herein remain confidential for at least five years from the date of this filing.

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

³ *Utility Regulatory Commission v. Kentucky Water Service Company, Inc.*, 642 S.W.2d 591, 592-94 (Ky. App. 1982).

Dated: October 15, 2025

Respectfully submitted,



Lindsey W. Ingram III
Stoll Keenon Ogden PLLC
300 West Vine Street, Suite 2100
Lexington, Kentucky 40507
Telephone: (859) 231-3000
Fax: (859) 253-1093
l.ingram@skofirm.com

W. Duncan Crosby III
Stoll Keenon Ogden PLLC
400 West Market Street, Suite 2700
Louisville, Kentucky 40202
Telephone: (502) 333-6000
Fax : (502) 333-6099
duncan.crosby@skofirm.com

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

Counsel for Kentucky Utilities Company

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 October 15, 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. Engle". The signature is written in a cursive style with a horizontal line at the end.

Counsel for Kentucky Utilities Company