

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	)	

In the Matter of:

ELECTRONIC APPLICATION OF	)	
LOUISVILLE GAS AND ELECTRIC	)	
COMPANY FOR AN ADJUSTMENT OF	)	CASE NO. 2025-00114
ITS ELECTRIC AND GAS RATES AND	)	
APPROVAL OF CERTAIN REGULATORY	)	
AND ACCOUNTING TREATMENTS	)	

**KENTUCKY UTILITIES COMPANY
AND LOUISVILLE GAS AND ELECTRIC COMPANY'S
JOINT PETITION FOR CONFIDENTIAL PROTECTION**

Kentucky Utilities Company (“KU”) and Louisville Gas and Electric Company (collectively, the “Companies”) hereby petition 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 item described herein, which the Companies are providing as a part of Stipulation Exhibit 1, which is an exhibit to the Stipulation and Recommendation that is Stipulation Testimony Exhibit 1 to the Joint Stipulation Testimony of Robert M. Conroy and Christopher M. Garrett. In support of this motion, the Companies state as follows:

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. The Companies are requesting confidential protection for the proprietary information included as part of KU’s Electric Revenue Allocation and Rate Design Schedules, attached as Stipulation Exhibit 1. Specifically, the Companies are requesting confidential protection for the demand rates and other information related to KU’s special contract with BlueOval SK, LLC (“BOSK”).

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

¹ KRS 61.878(1)(c)(1).

to prevent utility customers from gaining unfair commercial advantage in future negotiations with utilities.²

5. For these reasons, the Companies request confidential treatment for the special contract information contained in Stipulation Exhibit 1.

The Confidential Information Subject to This Petition

6. The information for which the Companies are seeking confidential treatment is not known outside of the Companies, except for their counsel and vendors. It is not disseminated within the Companies 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.

7. The Companies 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 the Companies' 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 Stipulation Exhibit 1 relating to the BOSK special contract information are confidential, the Companies are filing with the Commission one electronic copy that identifies with redactions the information for which confidential protection is sought.

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").

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

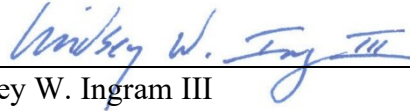
Pursuant to the Commission's March 24, 2020 and July 22, 2021 Orders in Case No. 2020-00085, the Companies will upload the unredacted copies noting the confidential information with highlighting to their encrypted file-share site for the Commission's retrieval. Access to the encrypted file-share site will be provided to intervenors pursuant to a confidentiality agreement.

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

WHEREFORE, Kentucky Utilities Company and Louisville Gas and Electric Company respectfully request that the Commission grant confidential protection for the information described herein.

Dated: October 20, 2025

Respectfully submitted,



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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 October 20, 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, appearing to read "Wendy W. Engle", is written over a horizontal line.

*Counsel for Kentucky Utilities Company and
Louisville Gas and Electric Company*