

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC PURCHASED GAS	)	
ADJUSTMENT FILING OF NATURAL	)	CASE NO. 2025-00379
ENERGY UTILITY CORPORATION	)	

NATURAL ENERGY UTILITY CORPORATION
PETITION FOR CONFIDENTIAL PROTECTION

Natural Energy Utility Corporation (“NEUC”), by counsel, pursuant to 807 KAR 5:001, Section 13, hereby petitions the Public Service Commission (“Commission”) to grant confidential protection for certain information that is contained in its quarterly gas cost recovery filing, which is more fully described below:

NEUC is filing contemporaneously with this Petition a quarterly report (“Report”) which contains an updated gas cost recovery rate. Included in the Report is certain information the disclosure of which would damage NEUC’s competitive position and business interests.

The Kentucky Open Records Act exempts from disclosure certain commercial information. KRS 61.878(1)(c). To qualify for this exemption and maintain the confidentiality of the information, a party must establish that disclosure of the commercial information would permit an unfair advantage to competitors of that party.

The Report contains sensitive commercial information, the disclosure of which would injure NEUC’s ability to negotiate future gas supply contracts at advantageous prices and, thereby, minimize the price of natural gas to its customers, and would unfairly advantage NEUC’s competitors for both gas suppliers and retail gas load. Any impairment of its ability to obtain the most advantageous price possible from natural gas producers and marketers will necessarily erode NEUC’s competitive position with other energy suppliers that compete in NEUC’s service

territory, as well as other LDCs with whom NEUC competes for new and relocating industrial customers. This sensitive information identifies NEUC's natural gas suppliers for the period set forth and links those providers with specific gas volumes delivered and the costs thereof. Redacting the suppliers' names from the Report will prevent other parties from piecing together the sensitive information which NEUC seeks to protect from disclosure. NEUC therefore requests that the identity of each supplier be kept confidential to the extent necessary to prevent the disclosure of the specific gas volumes delivered and the costs thereof.

In accordance with the Commission's September 4, 2025 Order in Case No. 2024-00369, NEUC is also submitting invoices received from gas suppliers. The invoices identify NEUC's suppliers, unit costs, volumes, and interconnection points and thus provide even more competitive information than the Report. Indeed, disclosure of this information would provide suppliers with all of the pertinent competitive information regarding NEUC's gas supply purchasing. NEUC therefore requests that the invoices be kept confidential in their entirety.

Disclosure of the suppliers' identities, unit costs, and volumes will damage NEUC's competitive position and business interest in two ways. First, it will allow NEUC's competitors to know the unit price and overall cost of the gas NEUC is purchasing from each supplier. This information is valuable to NEUC's competitors because it can alert them to the identity of NEUC's low-cost suppliers and, if those supply agreements are more favorable than theirs, they can attempt to outbid NEUC for those suppliers. This would raise prices for NEUC, which would hurt its competitive position and harm its ratepayers. Second, disclosure will provide competitors of NEUC's suppliers with information which will enable future gas bidding to be manipulated to the competitors' advantage and to the detriment of NEUC and its customers. Instead of giving its best price in a bid, a gas supply competitor with knowledge of the recent pricing practices of NEUC's

other suppliers could adjust its bid so that it just beats other bidders' prices or other terms. As a result, NEUC and its customers will pay a higher price for gas than they would have otherwise.

The Commission has previously granted requests for confidential protection for similar information in gas cost adjustment filings.¹

Also in accordance with the Commission's September 4, 2025 Order in Case No. 2024-00369, NEUC is providing the invoices showing the rates NEUC is charging each of its Special Contract customers for each month from the June 2024 period to the most recent reporting period. The Kentucky Open Records Act pursuant to KRS 61.878(1)(a)) exempts from disclosure certain private and personal information and information that will reveal specific customers' billing information. The Special Contract invoices NEUC is supplying reveals customer-identifying information such as customer names and billing information. NEUC therefore requests that the invoices be kept confidential in their entirety.

The information in the Report for which NEUC is seeking confidential protection is not known outside of NEUC, the relevant suppliers, and Special Contract customers, and is not disseminated within NEUC except for those employees with a legitimate business need to know and act upon such information. The same is true for the invoices.

The public interest will be served by granting this Petition in that competition among NEUC's prospective gas suppliers will be fostered and the cost of gas to NEUC's customers will thereby be minimized. In addition, the public interest will be served by fostering full and fair competition between NEUC and other energy service providers within NEUC's gas service territory. For these reasons, NEUC respectfully requests that the confidential material should be treated as confidential for an indefinite period of time.

¹ See, e.g., *In the Matter of: Electronic Purchased Gas Adjustment Filing of Delta Natural Gas Company, Inc.*, Case No. 2019-00364, Order (Ky. PSC November 6, 2019).

WHEREFORE, NEUC respectfully requests that the Commission classify and protect as confidential for an indefinite period of time the identity of the gas suppliers contained in its gas cost recovery rate quarterly filing, as well as the supplier and customers invoices that contain supplier information, prices, and volumes.

Dated November 21, 2025

Respectfully submitted,

Monica H. Braun
Stoll Keenon Ogden PLLC
300 West Vine Street, Suite 2100
Lexington, Kentucky 40507
Phone: 859-231-3000
Fax: 859-253-1093
monica.braun@skofirm.com

s/Monica H. Braun
Counsel for Natural Energy Utility
Corporation

CERTIFICATE OF COMPLIANCE

In accordance with 807 KAR 5:001, Section 8(7), this is to certify that Natural Energy Utility Corporation's November 21, 2025 electronic filing has been transmitted to the Commission on November 21, 2025; and that there are currently no parties that the Commission has excused from participation by electronic means.

s/Monica H. Braun
Counsel for Natural Energy Utility
Corporation