

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE VERIFIED APPLICATION OF)
AMERICAN WATER WORKS COMPANY,)
INC., ALPHA MERGER SUB, INC.,)
ESSENTIAL UTILITIES, INC., LDC) CASE NO. 2025-00408
FUNDING, LLC, PNG COMPANIES LLC,)
AND DELTA NATURAL GAS COMPANY,)
INC. FOR APPROVAL OF THE TRANSFER)
OF CONTROL OF DELTA NATURAL GAS)
COMPANY, INC.)

PETITION OF AMERICAN WATER WORKS COMPANY, INC.
FOR CONFIDENTIAL PROTECTION

Joint Applicant American Water Works Company, Inc. (“AWWC” or “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 certain information the Company is providing in response to Commission Staff’s First Request for Information (“PSC”) Item No. 11. In support of its Petition, AWWC states the following:

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

1. The Kentucky Open Records Act exempts from disclosure certain records which if openly disclosed would permit an unfair commercial advantage to competitors of the entity that disclosed the records.¹ Public disclosure of the information identified herein would, in fact, prompt such a result for the reasons set forth below.

2. In response to PSC 1-11, AWWC is providing bond rating agency reports from S&P and Moody’s. S&P and Moody’s make money from selling these documents. As players in

¹ KRS 61.878(1)(c)(1).

competitive markets, S&P and Moody's do not want proprietary reports and information to be available to the public without payment. If this proprietary information is disclosed, S&P, Moody's, and other third-party suppliers of the same kinds of information and analyses may be less willing to supply reports to AWWC and its consultants in the future. Diminishing the Company's ability to receive this information would harm both AWWC and its subsidiaries' customers. The Commission has previously held that reports from subscription-based rating services such as Moody's and S&P should be granted confidential treatment.²

Confidential Information Subject to this Petition

3. The information for which AWWC is seeking confidential treatment is not known outside of the Company, their consultants with a need to know the information, and the Company's counsel, is not disseminated within AWWC except to those employees with a legitimate business need to know and act upon the information and is generally recognized as confidential and proprietary information in the utility industry.

4. The Company will disclose the confidential information, pursuant to a confidentiality agreement, to any intervenors (there are no intervenors at this time) with a legitimate interest in this information and as required by the Commission.

5. If the Commission disagrees with this request for confidential protection, it must hold an evidentiary hearing (a) to protect AWWC'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

² See Case No. 2021-00190, *Electronic Application of Duke Energy Kentucky, Inc. for: 1) an Adjustment of the Nat. Gas Rates; 2) Approval of New Tariffs, & 3) All Other Required Approvals, Waivers, & Relief*, (Ky. PSC Apr. 14, 2022 Order); Case No. 2021-00481, *Electronic. Joint Application of Am. Elec. Power Co., Inc., Kentucky Power Co., & Liberty Utilities Co. for Approval of the Transfer of Ownership & Control of Kentucky Power Co.* (Ky. PSC Mar. 29, 2022 Order).

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

6. In compliance with 807 KAR 5:001, Section 13, AWWC is providing notice that the confidential attachments to PSC 1-11 are confidential in full. AWWC is providing those confidential documents to the Commission by e-mail.

7. AWWC requests that confidential protection be granted for five years due to the sensitive nature of the information at issue.

WHEREFORE, AWWC respectfully requests the Kentucky Public Service Commission grant confidential protection for the information described herein.

Dated: February 6, 2026

Respectfully submitted,

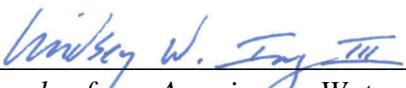


Lindsey W. Ingram III
Monica H. Braun
Stoll Keenon Ogden PLLC
300 West Vine St. Suite 2100
Lexington, Kentucky 40507-1801
Telephone: (859) 231-3000
Fax: (859) 253-1093
l.ingram@skofirm.com
monica.braun@skofirm.com

*Counsel for American Water Works Company and
Alpha Merger Sub, Inc.*

CERTIFICATE OF SERVICE

In accordance with 807 KAR 5:001, Section 8, and the Commission's Order of July 22, 2021 in Case No. 2020-00085, I certify that this document was submitted electronically to the Public Service Commission on February 6, 2026, and that there are currently no parties that the Public Service Commission has excused from participation by electronic means in this proceeding



*Counsel for American Water Works
Company, Inc. and Alpha Merger Sub, Inc.*