

**COMMONWEALTH OF KENTUCKY**  
**BEFORE THE PUBLIC SERVICE COMMISSION**

In the Matter of:

<b>ELECTRONIC APPLICATION OF APACHE</b>	)	
<b>GAS TRANSMISSION COMPANY, INC.,</b>	)	<b>CASE NO.</b>
<b>INC. FOR A CERTIFICATE OF PUBLIC</b>	)	<b>2025-00039</b>
<b>CONVENIENCE AND NECESSITY</b>	)	

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**MOTION FOR CONFIDENTIAL TREATMENT**

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Comes now Apache Gas Transmission Company, Inc. (“Apache”), by and through counsel, pursuant to KRS 61.878, 807 KAR 5:001, Section 13 and other applicable law, and for its motion requesting that the Kentucky Public Service Commission (“Commission”) afford confidential treatment to certain information filed in its application. In support of its motion, Apache hereby states as follows:

1. Apache’s Application includes items which involve the discussion or identification of information that is confidential and proprietary including maps of Apache’s service area.
2. Collectively, the information described above is designated as the “Confidential Information” for which protection is sought under KRS 61.878(1)(c)(1). Disclosure of the Confidential Information would permit an unfair commercial advantage to third parties and present an unnecessary and unreasonable infringement upon Apache’s legitimate privacy concerns.
3. The Kentucky Open Records Act and applicable precedent exempts the Confidential Information from disclosure, including KRS 61.878(1)(a); KRS 61.878(1)(c)(1); *Zink v. Department of Workers Claims, Labor Cabinet*, 902 S.W.2d 825 (Ky. App. 1994); *Hoy v. Kentucky Industrial Revitalization Authority*, 907 S.W.2d 766, 768 (Ky. 1995). The public

disclosure of the Confidential Information would harm Apache's competitive position in the marketplace by offering competitors insights into operating costs, resource investment calculations, anticipated load growth, the impact to future year revenue requirements, and system average costs of Apache that are not otherwise publicly available and would be to the detriment of Apache. Additionally, the Confidential Information is publicly unavailable. The confidentiality of this information is critical to Apache's effective execution of business decisions and strategy. For these reasons, the Confidential Information satisfies both the statutory and common law standards for affording confidential treatment.

4. Regarding the maps included in the application, if these maps are disclosed, the information could be utilized to commit or further a criminal or terrorist act, disrupt critical public utility systems, and/or intimidate or coerce the civilian population. Disclosure of the Confidential Information could also result in the disruption of innumerable other infrastructure systems which relate to, or rely upon, the safe and reliable provision of water in the area. Moreover, the disclosure of the Confidential Information could have a reasonable likelihood of threatening the public safety. Put plainly, maintaining the confidentiality of the maps of Apache's service area is necessary to protect the interests of Apache, its customers, and the region at large.

5. Overall, the Confidential Information consists of sensitive and proprietary information that is retained by Apache on a "need-to-know" basis. The Confidential Information is distributed within Apache only to those employees who must have access for business reasons and is generally recognized as confidential and proprietary in the energy industry.

6. Apache does not object to limited disclosure of the Confidential Information, pursuant to an acceptable confidentiality and nondisclosure agreement, to intervenors with a legitimate interest in reviewing same for the sole purpose of participating in this case. Apache

reserves the right to object to providing the Confidential Information to any intervenor if said provision could result in liability to Apache under any Confidentiality Agreement or Non-Disclosure Agreement.

7. In accordance with the provisions of 807 KAR 5:001, Section 13(2), Apache is filing separately under seal one (1) unredacted copy of each of the attachments. Apache is redacting and noting in the public version of the filing all of the confidential responses.

8. In accordance with the provisions of 807 KAR 5:001, Section 13(2), Apache respectfully requests that the Confidential Information be withheld from public disclosure for an indefinite period.

9. If, and to the extent, the Confidential Information becomes publicly available or otherwise no longer warrants confidential treatment, Apache will notify the Commission and have its confidential status removed, pursuant to 807 KAR 5:001 Section 13(10).

WHEREFORE, on the basis of the foregoing, Apache respectfully requests that the Commission classify and protect as confidential the Confidential Information described herein for an indefinite period.

This the 11th day of March 2026

Respectfully submitted,



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**CERTIFICATE OF SERVICE**

This is to certify that the foregoing electronic filing was transmitted to the Commission on March 11, 2026, and that there are no parties that the Commission has excused from participation by electronic means in this proceeding. Pursuant to prior Commission Orders, no paper copies of this filing will be made.



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*Counsel for Apache Gas  
Transmission Company, Inc.*