

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

**In the Matter of:**

<b>ELECTRONIC APPLICATION OF</b>	)	
<b>KENTUCKY-AMERICAN WATER</b>	)	
<b>COMPANY FOR AN ADJUSTMENT OF</b>	)	
<b>RATES, APPROVAL OF SYSTEM</b>	)	<b>CASE NO. 2026-00094</b>
<b>IMPROVEMENT PROGRAM, AND TARIFF</b>	)	
<b>CHANGES</b>	)	

**PETITION OF KENTUCKY-AMERICAN WATER COMPANY, INC.**  
**FOR CONFIDENTIAL PROTECTION OF RESPONSE TO**  
**GEORGETOWN MUNICIPAL WATER AND SEWER SERVICE’S**  
**MOTION TO INTERVENE**

Kentucky-American Water Company, Inc. (“KAWC” 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 customer billing records the Company is providing as Exhibit B to its Response to Georgetown Municipal Wastewater and Sewer Services’ (“GMWSS”) Motion to Intervene in this proceeding (the “Response”). In support of its Petition, KAWC 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.<sup>1</sup> Public disclosure of the information identified herein would, in fact, prompt such a result for the reasons set forth below.

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<sup>1</sup> KRS 61.878(1)(c)(1).

2. Exhibit B to the Company's Response contains monthly invoices issued to GMWSS from January 2025 through May 2026. These invoices include GMWSS's account numbers, payment history, itemized billing information, and usage history.

3. KAWC customers have a reasonable expectation that the Company maintain confidentiality of their specific usage history and billing information. This expectation is consistent with industry-wide practices, the Company's treatment of customer information, and Commission precedent.<sup>2</sup> Public disclosure of the Company's customer billing and usage information would give its customers' competitors access to information that could be used to deduce operational information which could lead to real commercial harms.<sup>3</sup> Additionally, public disclosure of this information would undermine customers' confidence in KAWC's ability to maintain confidentiality, which could harm the Company's ability to attract new commercial customers to its service area. For these reasons, KAWC respectfully requests that the Commission grant confidential protection to the invoices in Exhibit B to the Company's Response.

**Confidential Information Subject to this Petition**

4. The itemized billing information for which KAWC is seeking confidential treatment is not known outside of KAWC, its customer, consultants with a need to know the information, and the Company's counsel, is not disseminated within KAWC except to those

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<sup>2</sup> *Application of Duke Energy Kentucky, Inc. for: (1) An Adjustment of the Electric Rates; (2) Approval of an Environmental Compliance Plan and Surcharge Mechanism; (3) Approval of New Tariffs; (4) Approval of Accounting Practices to Establish Regulatory Assets and Liabilities; and (5) All Other Required Approvals and Relief*, Case No. 2017-00321, Order (Ky. PSC May 3, 2018) (granting confidential protection to specific customer account information, including account numbers and billing data).

<sup>3</sup> KAWC recognizes that, as a municipal utility, GMWSS information may not be entitled to confidential treatment of its billing records under KRS 61.878(1)(a). Nonetheless, the Company believes that disclosure risks commercial harm to GMWSS's commercial customers, whose usage information may be derived from GMWSS's invoices. In the event that, after weighing these risks, GMWSS determines that KAWC's invoices should be publicly disclosed, the Company will publicly disclose the invoices in a supplemental filing.

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.

5. KAWC 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.

6. If the Commission disagrees with this request for confidential protection, it must hold an evidentiary hearing (a) to protect KAWC'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.<sup>4</sup>

7. In compliance with 807 KAR 5:001, Section 13, KAWC is providing notice that Exhibit B to the Company's Response is confidential in full.

8. Access to the confidential information will be provided to intervenors upon request pursuant to a confidentiality agreement.

9. KAWC requests that confidential protection be granted for five years due to the sensitive nature of the commercial information at issue.

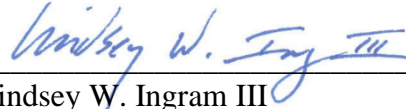
**WHEREFORE**, Kentucky-American Water Company respectfully requests the Kentucky Public Service Commission grant confidential protection for the information described herein.

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<sup>4</sup> *Utility Regulatory Commission v. Kentucky Water Service Company, Inc.*, 642 S.W.2d 591, 592-94 (Ky. App. 1982).

Dated: June 9, 2026

Respectfully submitted,



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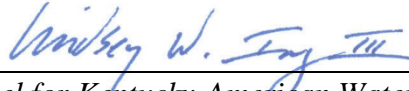
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*Counsel for Kentucky-American Water Company*

**CERTIFICATE OF COMPLIANCE**

In accordance with 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 June 9, 2026; and that there are currently no parties in this proceeding that the Commission has excused from participation by electronic means.



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*Counsel for Kentucky-American Water Company*

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