

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE ELECTRONIC APPLICATION OF)	
COLUMBIA GAS OF KENTUCKY, INC.)	CASE NO.
FOR AN ADJUSTMENT OF RATES;)	2026-00099
APPROVAL OF DEPRECIATION STUDY;)	
APPROVAL OF TARIFF REVISIONS; AND)	
OTHER RELIEF)	

MOTION FOR CONFIDENTIAL TREATMENT

Comes now Columbia Gas of Kentucky, Inc. (“Columbia”), 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 information provided in Responses to Commission Staff’s First Request for Information (“Staff’s First Request”). In support of its motion, Columbia hereby states as follows:

1. On April 17, 2026, Columbia filed its Notice of Intent to file an application for a general adjustment of rates. On May 7, 2026, Commission Staff issued Staff’s First Request which was due fourteen (14) days after the submission of the application or twenty-one (21) days after the filing of the request, whichever was later.

Contemporaneously with this Motion, Columbia is filing its responses to Staff's First Request.

2. Columbia is requesting confidential protection of its responses to the following data requests:

- Staff's First Request, Item 11, which contains cost allocation amounts;
- Staff's First Request, Item 14, which contains invoices for personal services;
- Staff's First Request, Item 18 contains Columbia's tax returns;
- Staff's First Request, Item 41 which contains personal salary information;
- Staff's First Request, Item 48, which contains a wage and salary survey; and,
- Staff's First Request, Item 54, which contains work papers generated in the preparation of this proceeding.

Collectively, the information described above is designated as the "Confidential Information" for which protection is sought under KRS 61.878(1)(a), KRS 61.878(1)(c)(1), and KRS 61.878(1)(k). Disclosure of the Confidential Information would permit an unfair commercial advantage to third parties and present an unnecessary and unreasonable infringement upon Columbia'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); KRS 61.878(1)(k); *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 Columbia's competitive position in the marketplace by offering competitors insights into payroll costs and negotiated contract rates that are not otherwise publicly available and would be to the detriment of Columbia. Additionally, the Confidential Information is publicly unavailable. The confidentiality of this information is critical to Columbia'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. Columbia is requesting confidential treatment of its response to Staff's First Request, Item 11, which contains schedules detailing the costs charged or allocated to Columbia pursuant to KRS 61.878(1)(c)(1). If this information were disclosed, it would create an unfair commercial advantage to Columbia's competitors. Additionally, this information details the innerworkings of NiSource, Inc. ("NiSource"). This information is generally not disclosed, and if disclosed could harm NiSource and its other operating corporations and could ultimately impact costs that are allocated to Columbia and its customers.

5. Columbia is requesting confidential treatment of Attachment B to Staff's First Request Item, 14 that contains the hourly rates and cost estimates for outside experts. This attachment includes negotiated rates and budget proposals of outside experts hired for the presentation of this case. This information is generally recognized as confidential

and proprietary and disclosure would harm Columbia's ability to negotiate the most favorable rates for consulting and this would cause financial harm to the customers of Columbia.

6. In response to Staff's First Request, Item 18, Columbia is providing its federal and state tax returns. KRS 61.878(1)(k) exempts from disclosure records which are prohibited by federal law or regulation. 26 U.S.C. § 6103(a) prohibits disclosure of federal income tax returns. Additionally, KRS 61.878(1)(l) exempts from disclosure information acquired by the Department of Revenue in tax administration. Therefore, Columbia believes these documents should be granted confidential protection.

7. The Confidential Information provided in response to Request No. 41 includes officer salary information. While this information is generally not considered confidential, Columbia's Application is based on a forecasted test year. The executive compensation provided in response to Item 41 is based upon assumptions regarding forward-looking earnings-related information that may be considered material and non-public information. Actual information will be disclosed in future filings with the Securities and Exchange ("SEC"). Columbia has requested confidential treatment of this information in the past.¹ Since compensation is personal in nature and if disclosed could

¹ Case No. 2024-00092, *Electronic Application of Columbia Gas of Kentucky, Inc. for an Adjustment of Rates; Approval of Tariff Revisions; and Other General Relief*, Responses to Staff's First Request for Information (filed May 30, 2024) (Please note, Columbia made the request for confidential treatment, but the Commission never issued an order on the issue).

violate Columbia's employees; reasonable expectations of personal privacy with regard to compensation. Further, making this information public may provide other entities with information that could be used to Columbia's disadvantage when recruiting and retaining executive management.

8. In response to Request No. 48, Columbia is providing a workpaper, KY PSC Case No. 2026-00099, Staff 1-48, Attachment A, that was the source of current wage information that was used to develop the attachments to the Direct Testimony of Columbia Witness Beth Owens. This workpaper lists the employee number, title, location, and salary of every employee who either works for Columbia, or an affiliate of Columbia who provided services for and allocated labor costs to Columbia. This information is personal in nature and if disclosed would violate Columbia's employees' reasonable expectations of personal privacy with regard to compensation.² While the employees' names are not reflected in the response, this workpaper does contain information that could be used to identify individual employees. This includes Columbia's assigned employee ID numbers, which are available to all employees and are sometimes disclosed publicly, and the titles for employees which, combined with locational information, could be used to identify individual employees by name. While

² See *Cape Pub'ns, Inc. v. Univ. of Louisville Found., Inc.*, 260 S.W.3d 818, 822 (Ky. 2008) (compensation information is private in nature); *Zink v. Department of Workers' Claims, Labor Cabinet*, 902 S.W.2d 825, 828 (Ky. Ct. App. 1994) ("information such as . . . wage rate . . . [is] generally accepted by society as [a] detail in which an individual has at least some expectation of privacy."); see also KRS 68.878(1)(a).

this information is useful to management in assuring that Columbia's compensation is properly oriented and in-line with the market, the data would be extremely valuable to competitors in the labor market who could use the information to poach Columbia's workforce. If disclosed, the compensation data would allow others to know with precision how to approach Columbia's skilled workforce and target them for recruitment to other firms. This would, of course, lead to the diminution of Columbia's skilled workforce and the loss of investment in human capital. The Commission has previously recognized that wage and compensation studies are confidential under the Kentucky Open Records Act.³

9. Columbia is requesting confidential treatment of Attachment A to its response to Staff's First Request 54. This response includes a copy of each cost-of-service study, billing analysis, and all exhibits, and schedules that were prepared for this rate proceeding. Columbia is requesting confidential treatment of the entirety of this information that was used to support the filing requirements found in 807 KAR 5:001, Section 16(8)(a)-(k), which confidential treatment was requested when filed with the Application.⁴ As stated in the May 20, 2026 motion for confidential treatment, the documents include the metrics that are utilized to determine incentive compensation. This information has never been disclosed and release of this information would harm Columbia's

³ See Case No. 2015-00039, *In the Matter of the Proposed Adjustment of the Wholesale Water Service Rates of the City of Augusta*, Order (Ky. P.S.C. Sept. 22, 2015).

⁴ Motion for Confidential Treatment, filed May 20, 2026.

ability to competitively hire and retain employees. Columbia's competitors could harm Columbia's position in the market if given access to this information. In addition, the formulas and inputs for this file are all intact. The cost-of-service study represents the culmination of hundreds of hours of labor to develop an analytical model that is unique to Columbia and based upon information that is confidential and proprietary. The entirety of the Excel file is included within the scope of this request for confidential treatment. This information should be granted confidential protection pursuant to KRS 61.878(1)(a) and KRS 61.878(1)(c)(1). If this information were disclosed it would create an unfair commercial advantage to Columbia's competitors because they would be able to ascertain the innerworkings of Columbia.

10. Overall, the Confidential Information consists of sensitive and proprietary information that is retained by Columbia on a "need-to-know" basis. NiSource and Columbia take all reasonable measures to prevent disclosure of the Confidential Information. Moreover, the Confidential Information is distributed within Columbia only to those employees who must have access for business reasons and is generally recognized as confidential and proprietary in the energy industry.

11. Columbia 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. Columbia reserves the right to object to providing the

Confidential Information to any intervenor if said provision could result in liability to Columbia under any Confidentiality Agreement or Non-Disclosure Agreement. Columbia further reserves the right to object to sharing the Confidential Information with any party that may have a mixed-motive for accessing the Confidential Information, that may be a competitor of Columbia in any market, who may have a commercial conflict of interest or for any other reason.

12. In accordance with the provisions of 807 KAR 5:001, Section 13(2), Columbia is filing separately under seal one (1) unredacted copy of the information. Columbia is providing the attachment in response to Staff's First Request, Item 11 with highlights. For all of the rest of the responses, Columbia is not providing a copy with highlights because the request for confidential treatment is for the entirety of those documents. Columbia is noting in the public version the filing of confidential responses.

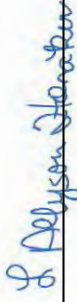
13. In accordance with the provisions of 807 KAR 5:001, Section 13(2), Columbia respectfully requests that the Confidential Information be withheld from public disclosure for an indefinite period.

14. If, and to the extent, the Confidential Information becomes publicly available or otherwise no longer warrants confidential treatment, Columbia 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, Columbia respectfully requests that the Commission classify and protect as confidential the Confidential Information described herein for an indefinite period.

This the 3rd day of June 2026

Respectfully submitted,



L. Allyson Honaker
Heather S. Temple
Meredith L. Cave
HONAKER LAW OFFICE, PLLC
1795 Alysheba Way, Suite 1203
Lexington, KY 40509
(859) 368-8803
allyson@hloky.com
heather@hloky.com
meredith@hloky.com

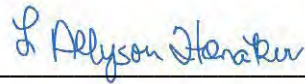
And

Ashley G. LaRock
Senior Counsel
290 W. Nationwide Blvd.
Columbus, Ohio 43215
Telephone: (614) 273-4387
Fax: (859) 288-0258
alarock@nisource.com

Attorneys for Applicant
COLUMBIA GAS OF KENTUCKY, INC.

CERTIFICATE OF SERVICE

This is to certify that the foregoing electronic filing was transmitted to the Commission on June 3, 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.



Counsel for Columbia Gas of Kentucky, Inc.