

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

IN THE MATTER OF: ELECTRONIC TARIFF FILING OF BIG RIVERS ELECTRIC CORPORATION OF A RETAIL ELECTRIC SERVICE AGREEMENT WITH JUSTIFIED DATAPOWER LLC, A SUBSIDIARY OF TERAWULF INC.	: : : :	CASE NO. 2026-00115
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**MOTION FOR CONFIDENTIAL TREATMENT OF
JUSTIFIED DATAPOWER LLC, A SUBSIDIARY OF TERAWULF**

Justified DataPower LLC, a subsidiary of TeraWulf Inc. (“TeraWulf”), hereby moves the Kentucky Public Service Commission (“Commission”), pursuant to 807 KAR 5:001 Section 13 and KRS 61.878, to grant confidential treatment to certain information submitted by TeraWulf at the request of Commission Staff (“Staff”) at the August 13, 2026 Informal Conference (“IC”) in this proceeding. The information for which TeraWulf seeks confidential treatment is hereinafter referred to as the “*Confidential Information*.” Pursuant to 807 KAR 5:001, Section 13, TeraWulf is submitting the Confidential Information under seal.

At the August 13 IC, Staff asked TeraWulf to provide the seven environmental studies referred to in Big Rivers Electric Corporation’s Response to Staff’s Second Request for Information, Item No. 6, which were filed June 29, 2026.¹ TeraWulf agreed to provide the five completed environmental studies and to file the Noise Assessment and Air Modeling studies in the post-case record when those studies were completed. Two of the completed studies that TeraWulf intends to provide – the Phase I Environmental Site Assessment and Phase II Environmental Site Assessment – constitute the Confidential Information for which TeraWulf seeks confidential treatment. TeraWulf does not seek confidential treatment for the other completed studies.

¹ Informal Conference Memorandum (August 13, 2026).

Pursuant to KRS 61.878(1)(c)(I), the following records are exempted from disclosure under the Kentucky Open Records Act:

“[R]ecords confidentially disclosed to an agency or required by an agency to be disclosed to it, generally recognized as confidential or proprietary, which if openly disclosed would permit an unfair commercial advantage to competitors of the entity that disclosed the records....²

The Phase I and Phase II Environmental Site Assessments are environmental due-diligence documents prepared for purposes of a commercial transaction. The Assessments contain detailed risk evaluation information that would provide an unfair commercial advantage to TeraWulf’s competitors if disclosed. This proprietary due diligence information is kept confidential by TeraWulf and not disseminated to others unless they have a legitimate need to know and act upon the information.

WHEREFORE, TeraWulf respectfully requests that the Commission grant its Motion for Confidential Treatment of Information.

Respectfully submitted,

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² KRS 61.878(1)(c).