

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

Electronic INVESTIGATION INTO THE RATES
AND SERVICES OF EAST KENTUCKY
MIDSTREAM, LLC

Case No. 2026-00121

**East Kentucky Midstream, L.L.C. Motion for Confidential Treatment of Information
in Response to 2 PSC 03**

East Kentucky Midstream, L.L.C. (“EKM”) respectfully submits this Motion pursuant to 807 KAR 5:001 § 13, for confidential treatment of information responsive to the 2nd PSC Staff Request No. 03. In support of this Motion, EKM states as follows:

1. On this date, EKM filed its Responses to Commission Staff’s Second Request for Information (“2 PSC __”).
2. EKM is seeking confidential treatment for information included in its response to 2 PSC 03. The 2 PSC 03 request seeks further information regarding sensitive and proprietary business information, which if disclosed would give competitors and suppliers of EKM an unfair commercial advantage. It follows up on EKM’s response 1 PSC 08.a, submitted confidentially under seal and with a Motion for Confidential Treatment filed August 24, 2026.
3. In compliance with 807 KAR 5:001, §§ 8(3) and 13(2)(3), EKM is filing under seal with the Commission files in PDF format of:
 - the response to 2 PSC 03 entirely unredacted, with highlighting of the material for which confidential treatment is sought; and

- the referenced amortization schedule applicable to loans from Eagle Well Service, Inc. and Sandy Valley Gas, Inc. which is entirely confidential, *i.e.*, no portion of which filed in the public record.

The unredacted files are filed under seal pursuant to the instructions regarding confidential filings in the 3/24/20 Order issued in Ky. PSC Case No. 2020-00085; the redacted page of the 2 PSC 03 response is being publicly filed with the electronic copy of this Motion.

4. All the information/documents for which confidential treatment is being sought are treated as confidential by EKM. They are not publicly disseminated and public disclosure of this information would harm EKM, because these reveal sensitive information regarding the internal financial ability and workings of EKM.

5. If the Commission disagrees with EKM that the material for which this Motion seeks confidential treatment is exempt from disclosure, it must hold an evidentiary hearing to protect the due process rights of EKM (and its lenders), and permit the opportunity to supply the Commission with a complete record to enable it to reach a decision with regard to this confidentiality request.

6. Under KRS 61.878(1)(c)(1), commercial information generally recognized as confidential is protected if disclosure would cause competitive injury and permits competitors and suppliers of EKM an unfair commercial advantage. Public disclosure of the information for which EKM seeks confidential treatment may cause competitive harm to EKM as it manages and operates its system in Kentucky.

7. EKM is a privately held company and the information provided in response to 2 PSC 03 is partly derived from tax documents exempt from public disclosure under KRS 131.190 and therefore not public records pursuant to KRS 61.878(1)(l).

8. 807 KAR 5:001 §13(2)(a)(2) provides that a motion for confidential treatment shall state the time period in which the material should be treated as confidential and the reasons for this time period. Movant respectfully submits that five years from the date of the filing of this Motion (or that confidentiality is granted) is a reasonable period of time for these documents to be treated as confidential due to competitive conditions in the natural gas industry.

9. Disclosure of this information would invade the privacy rights of the individuals named. This personal and private information is not in the public realm. EKM's employees have a reasonable expectation that their compensation is personal and private information. Disclosure would constitute an unwarranted invasion of their personal privacy in contravention of KRS 61.878(1)(a).

WHEREFORE, EKM respectfully requests that the Commission grant confidential treatment of the information described herein.

Respectfully submitted,

/s/ Jason R. Bentley

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Attachment: redacted Response to 2 PSC 03

Request

3. Refer to East Kentucky Midstream's response to Staff's First Request, Item 8(a). Provide the length and terms of each indebtedness listed, including but not limited to interest rate. Provide an amortization schedule of each indebtedness listed.

Response

As for information provided in response to 1 PSC 08.a, EKM redacts confidential information in the publicly-filed version of this response and requests confidential treatment for the redacted information in a concurrently-filed motion.

Lender	Date of Issue	Amount at Issue (\$)	Nom'l Annual Rate	Term at Issue	<u>as of 1/1/26,</u> rem'g principal / months
Eagle Well Investments, LLC					
Eagle Well Service, Inc.					
EWS, Inc.					
EWS, Inc.					
Sandy Valley Gas, Inc.					

- * —redacted— —redacted— —redacted— —redacted— —redacted— —redacted— —
redacted— —redacted— —redacted—.
- † —redacted— —redacted— —redacted— —redacted— —redacted—.
- —redacted— —redacted— —redacted—.

An amortization schedule applicable to the loans from Eagle Well Service, Inc. and Sandy Valley Gas, Inc. is submitted confidentially and concurrently herewith.