

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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**PUBLIC SERVICE
COMMISSION**

In the Matter of:

MARY CHARLOTTE SMYLY)
)
COMPLAINANT)
)
v.)
)
LOUISVILLE GAS AND ELECTRIC)
COMPANY)
)
)
DEFENDANT)

CASE NO. 2009-00364

* * * * *

**PETITION OF LOUISVILLE GAS AND ELECTRIC COMPANY
FOR CONFIDENTIAL PROTECTION**

Louisville Gas and Electric Company (“LG&E”) hereby petitions the Kentucky Public Service Commission (“Commission”) pursuant to 807 KAR 5:001, Section 7, and KRS 61.878(1)(a) to grant confidential protection for the items described herein, which LG&E has provided in support of its Reply to the Response of Mary Charlotte Smyly (“Ms. Smyly”) dated March 18, 2010. In support of this Petition, LG&E states as follows:

1. The Kentucky Open Records Act exempts from disclosure certain information of a personal nature where public disclosure would constitute a clearly unwarranted invasion of personal privacy. KRS 61.878(1)(a).

2. In its Reply, LG&E is attaching copies of some of Ms. Smyly's bills and one of her brown bills. This information contains the customer's account numbers and merits confidential protection because LG&E believes that revealing this information in the public record could result in an unwarranted invasion of personal privacy.

3. If the Commission disagrees with this request for confidential protection, however, it must hold an evidentiary hearing (a) to protect LG&E'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. Utility Regulatory Commission v. Kentucky Water Service Company, Inc., Ky. App., 642 S.W.2d 591, 592-94 (1982).

4. LG&E will disclose the confidential documents, pursuant to a protective agreement, to intervenors and others with a legitimate interest in this information and as required by the Commission. In accordance with the provisions of 807 KAR 5:001 Section 7, LG&E herewith files with the Commission one copy of the above-discussed documents with the confidential information highlighted and ten (10) copies of its response without the confidential information.

WHEREFORE, Louisville Gas and Electric Company respectfully requests that the Commission grant confidential protection for the information at issue, or in the alternative, schedule an evidentiary hearing on all factual issues while maintaining the confidentiality of the information pending the outcome of the hearing.

Dated: April 1, 2010

Respectfully submitted,



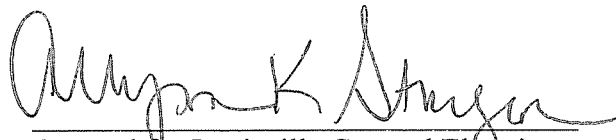
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Counsel for Louisville Gas and Electric
Company

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Answer was served on the following on the 1st day of April, 2010, U.S. mail, postage prepaid:

Mary Charlotte Smyly
1412 N. English Station Road
Louisville, Kentucky 40223



Counsel for Louisville Gas and Electric
Company