

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KENTUCKY-AMERICAN	)	
WATER COMPANY FOR A CERTIFICATE OF	)	
CONVENIENCE AND NECESSITY AUTHORIZING	)	CASE NO.
THE CONSTRUCTION OF RICHMOND ROAD	)	2014-00258
STATION FILTER BUILDING IMPROVEMENTS	)	

ORDER REGARDING REQUEST FOR CONFIDENTIAL TREATMENT

On October 24, 2014, via electronic filing, Kentucky-American Water Company (“KAWC”) moved, pursuant to 807 KAR 5:001, Section 13, that certain materials filed with the Commission be afforded confidential treatment and not be placed in the public record subject to public inspection.

In support of its Petition filed on October 24, 2014, KAWC states that the information it is requesting to be held confidential is contained in its Responses to Commission Staff’s Second Request for Information (“Staff’s Second Request”), Item 4. The information is more particularly described as the entire set of engineering construction drawings of the facilities proposed to be constructed containing sensitive critical infrastructure information, and which therefore is exempt from public disclosure pursuant to KRS 61.878(1)(m)1.f.

Having carefully considered the Petition Requesting Confidential Treatment and the materials at issue, the Commission finds that the materials contained in KAWC’s Response to Staff’s Second Request, Item 4, meets the criteria for confidential protection as set forth in KRS 61.878(1)(m)1.f. and should not be placed in

the public record for an indefinite period of time, or until further Order of this Commission.

IT IS THEREFORE ORDERED that:

1. Movant's Petition for Confidential Protection is hereby granted.
2. The materials contained in KAWC's Response to Staff's Second Request, Item 4, meets the criteria for confidential protection as set forth in KRS 61.878(1)(m)1.f, and is hereby granted confidential protection. The materials granted confidential protection shall not be placed in the public record or made available for public inspection for an indefinite period of time, or upon further Order of this Commission.
3. Use of the materials in question in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).
4. Movant shall inform the Commission if the materials granted confidential protection become publicly available or no longer qualify for confidential treatment.
5. If a non-party to this proceeding requests to inspect materials granted confidential treatment by this Order and the period during which the materials have been granted confidential treatment has not run, Movant shall have 20 days from receipt of written notice of the request to demonstrate that the materials still fall within the exclusions from disclosure requirements established in KRS 61.878. If Movant is unable to make such demonstration, the requested materials shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

6. The Commission shall not make the materials available for inspection for 20 days following an Order finding that the materials no longer qualify for confidential treatment in order to allow Movant to seek a remedy afforded by law.

By the Commission

ENTERED  
FEB 09 2015  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:

  
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Executive Director

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