

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KENTUCKY UTILITIES	)	
COMPANY FOR AN ADJUSTMENT OF ITS	)	CASE NO. 2014-00371
ELECTRIC RATES	)	

ORDER REGARDING REQUEST FOR CONFIDENTIAL TREATMENT

On January 28, 2015, Kentucky Utilities Company ("Movant") moved, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1), that certain materials filed with the Commission be afforded confidential treatment and not be placed in the public record subject to public inspection for an indefinite period of time.

In support of its motion, Movant states that the information it is requesting to be held confidential is contained in its supplemental responses to the First Set of Data Requests of Kentucky Industrial Utility Customers, Inc. ("KIUC Initial Request"), Items 30(f) and 40. The information is more particularly described as Trimble County Unit 2 projected outage schedules, capital commitments, maintenance projections, and design information. The information in Item 40 contains information regarding projected generating plant outage schedules. Movant states that disclosure of the information contained in its responses would create a competitive disadvantage for the company and unfairly advantage competitors.

Having carefully considered the motion and the materials at issue, the Commission finds that:

1. The materials for which Movant seeks confidential treatment meet the criteria for confidential treatment and are exempted from public disclosure pursuant to KRS 61.878(1) and 807 KAR 5:001, Section 13.

2. Pursuant to KRS 61.878, the materials for which Movant requests confidential protection should not be placed in the public record or made available for public inspection for an indefinite period of time, or until further Order of the Commission.

IT IS THEREFORE ORDERED that:

1. Movant's motion for confidential protection of portions of its supplemental responses to KIUC's Initial Request, Items 30(f) and 40, is granted.

2. The information for which Movant requests confidential protection shall not be placed in the public record or made available for public inspection indefinitely, pursuant to KRS 61.878.

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 in question 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, the 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 requested 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  
DEC 02 2015  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:

  
\_\_\_\_\_  
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