

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF LOUISVILLE GAS AND)	
ELECTRIC COMPANY FOR AN ADJUSTMENT OF)	CASE NO.
ITS ELECTRIC AND GAS RATES)	2014-00372

ORDER REGARDING REQUEST FOR CONFIDENTIAL TREATMENT

On January 23, 2015, Louisville Gas and Electric Company (“LG&E”) 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.

In support of its motion, LG&E states that the information it is requesting to be held confidential is contained in its Response to the Attorney General’s (“AG”) Initial Request for Information Items 71, 72(b), 152, 180, and 230(a). LG&E states that its Responses to Items 71 and 72(b) specifically pertain to LG&E’s transmission system, or Critical Energy Infrastructure Information, and that their disclosure could be used to threaten or harm the public safety by a terrorist act. LG&E states that the Commission has recently granted confidential treatment to similar information.¹

LG&E requests confidential treatment for certain information contained in its Response to Item 152, which includes projected compensation adjustments for the forecast and base years, and states that its disclosure would hamper its negotiating

¹ Case No. 2014-00166, *2014 Integrated Resource Plan of Big Rivers Electric Corp.* (Ky. PSC Aug. 26, 2014).

with employee groups. LG&E is disclosing the overall projected percentage increases, but requests confidential treatment of the specific projections for hourly and union employees.

LG&E requests confidential treatment for certain information contained in its Response to Item 180, which includes presentations made to rating agencies and/or investment firms, which LG&E states were made in confidence to those agencies and contain commercially sensitive information and a candid review of LG&E's business strategies. LG&E states that the Commission has found that such information warrants confidential protection in prior proceedings.²

Finally, LG&E requests confidential treatment for certain information contained in its Response to Item No. 230(a), which includes work papers and analyses showing the determination of total capacity costs in Purchased Power and, according to LG&E, were provided to it by OVEC in strict confidence. LG&E states that disclosure of this information would place OVEC and LG&E at a competitive disadvantage in the marketplace, as competitors could use this information when competing with OVEC. LG&E states that if this information is disclosed, OVEC would be reluctant to share similar information with it in the future, thereby adversely affecting LG&E's ability to plan its energy supply and strategy in the future.

LG&E further states that the information for which it seeks confidential treatment is not known outside of LG&E and is not disseminated within LG&E except to those employees with a legitimate need to know the information. LG&E states that it will

² Case No. 2013-00167, *Application of Columbia Gas of Kentucky, Inc. for an Adjustment of Rates for Gas Service* (Ky. PSC Oct. 29, 2013).

disclose the information, pursuant to a confidentiality agreement, to intervenors with a legitimate interest in this information and as required by the Commission.

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

1. The materials for which LG&E 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. The materials for which LG&E seeks confidential treatment should not be placed in the public record or made available for public inspection for an indefinite period.

IT IS THEREFORE ORDERED that:

1. LG&E's motion for confidential treatment is hereby granted.

2. The materials contained in LG&E's Response to the AG's Initial Request for Information, Items 71, 72(b), 152, 180, and 230(a), for which LG&E seeks confidential treatment shall not be placed in the public record or made available for public inspection for an indefinite period of time.

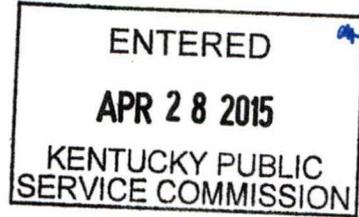
3. Use of the materials in question in this proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).

4. LG&E shall inform the Commission if the materials in question become publicly available or no longer qualify for confidential treatment.

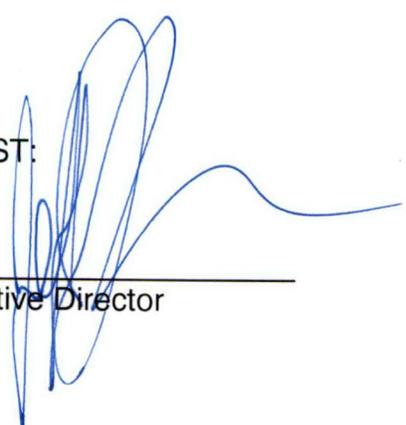
5. If a non-party to this proceeding requests to inspect materials granted confidential treatment by this Order, LG&E shall have 20 days from receipt of written notice of the request to demonstrate that the materials still fall within the exclusions from

disclosure requirements established in KRS 61.878. If LG&E is unable to make such demonstration, the requested materials shall be made available for inspection.

By the Commission



ATTEST:



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