

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KENTUCKY-AMERICAN)	
WATER COMPANY FOR AN ADJUSTMENT OF)	CASE NO.
ITS WASTEWATER RATES PURSUANT TO 807)	2014-00390
KAR 5:076)	

ORDER REGARDING REQUEST FOR CONFIDENTIAL TREATMENT

On November 14, 2014, 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 November 14, 2014, KAWC states that the information it is requesting to be held confidential is contained in attachments to its Application. The information is more particularly described as federal and state income tax returns for the year 2013. The petition further states that the information is exempt from public disclosure pursuant to KRS 61.878(1)(c)(1), KRS 61.878(1)(k), and KRS 61.878(1)(l).

Having carefully considered the Petition Requesting Confidential Treatment and the materials at issue, the Commission finds that the materials contained in KAWC Attachments to its Application meet the criteria for confidential protection as set forth in KRS 61.878(1)(c)(1), KRS 61.878(1)(k), and KRS 61.878(1)(l) 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. Kentucky-American Water Company's 2013 federal and state income tax returns contained in the attachments to its Application meet the criteria for confidential protection as set forth in KRS 61.878(1)(c)(1), KRS 61.878(1)(k) and KRS 61.878(1)(l), and are 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 until 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:



Executive Director

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