

1 COMMONWEALTH OF KENTUCKY
2 BEFORE THE PUBLIC SERVICE COMMISSION OF KENTUCKY

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5 In the Matter of:

PUBLIC SERVICE
COMMISSION

6 APPLICATION OF BIG RIVERS ELECTRIC)
7 CORPORATION FOR A CERTIFICATE OF) CASE NO.
8 PUBLIC CONVENIENCE AND NECESSITY TO) 2015-00051
9 CONSTRUCT TWO 161 KV TRANSMISSION)
10 LINES IN HANCOCK COUNTY, KENTUCKY)
11

12
13 **PETITION OF BIG RIVERS ELECTRIC CORPORATION FOR CONFIDENTIAL**
14 **PROTECTION**
15

16 1. Big Rivers Electric Corporation ("Big Rivers") hereby petitions the Kentucky
17 Public Service Commission ("Commission"), pursuant to 807 KAR 5:001 Section 13 and KRS
18 61.878, to grant confidential protection to certain information Big Rivers is filing with its
19 responses to the Commission Staff's Initial Request for Information. The information Big Rivers
20 seeks to protect as confidential is hereinafter referred to as the "Confidential Information."

21 2. The Confidential Information consists of certain attached to Big Rivers' response
22 to Item 17 of the Commission Staff's Initial Request for Information ("PSC 1-17").

23 3. One (1) copy of the pages containing Confidential Information, with the
24 Confidential Information highlighted with transparent ink, printed on yellow paper, or otherwise
25 marked "CONFIDENTIAL," is being filed with this petition. An original and ten (10) copies of
26 the pages containing Confidential Information, with the Confidential Information redacted, or a
27 sheet noting the entirety of those pages have been redacted are being filed with this petition. 807
28 KAR 5:001 Section 13(2)(a)(3).

29 4. A copy of this petition with the Confidential Information redacted has been served
30 on all parties to this proceeding. 807 KAR 5:001 Section 13(2)(b). A copy of the Confidential
31 Information has been served on all parties that have signed a confidentiality agreement.

1 5. The Confidential Information is not publicly available, is not disseminated within
2 Big Rivers except to those employees and professionals with a legitimate business need to know
3 and act upon the information, and is not disseminated to others without a legitimate need to
4 know and act upon the information.

5 6. If and to the extent the Confidential Information becomes generally available to
6 the public, whether through filings required by other agencies or otherwise, Big Rivers will
7 notify the Commission and have its confidential status removed. 807 KAR 5:001 Section
8 13(10)(b).

9 7. The Confidential Information is entitled to confidential protection based upon
10 KRS 61.878(1)(m)(1), which protects “[p]ublic records the disclosure of which would have a
11 reasonable likelihood of threatening the public safety by exposing a vulnerability in preventing
12 protecting against, mitigating, or responding to a terrorist act. . . .”

13 8. The Confidential Information includes critical energy infrastructure information
14 in the form of a detailed map of Big Rivers’ transmission system and a one-line diagram showing
15 in detail the components of Big Rivers’ transmission system. As disclosure of this information
16 would provide the public with detailed schematics of the Big Rivers transmission system, this
17 information should be granted confidential treatment.

18 9. Big Rivers requests that the Confidential Information remain confidential
19 indefinitely because as long as the transmission system remains in place, the information should
20 be confidential for the reasons stated above. 807 KAR 5:001 Section 13(2)(a)(2).

21 10. Based on the foregoing, the Confidential Information is entitled to confidential
22 protection. If the Commission disagrees that Big Rivers is entitled to confidential protection, due

1 process requires the Commission to hold an evidentiary hearing. *Utility Regulatory Com'n v.*
2 *Kentucky Water Service Co., Inc.*, 642 S.W.2d 591 (Ky. App. 1982).

3 WHEREFORE, Big Rivers respectfully requests that the Commission classify and protect
4 as confidential the Confidential Information.

5 On this the 26th day of May, 2015.

6 Respectfully submitted,

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9 _____
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21 Counsel for Big Rivers Electric Corporation

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23
24 **Certificate of Service**

25
26 I certify that a true and accurate copy of the foregoing was served by first class mail upon
27 each of the persons listed on the accompanying service list, on or before the date this petition is
28 filed with the Kentucky Public Service Commission.

29
30 On this the 26th day of May, 2015,

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34 _____
Counsel for Big Rivers Electric Corporation

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BIG RIVERS ELECTRIC CORPORATION)
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LINES)
IN HANCOCK COUNTY, KENTUCKY)

Case No.
2015-00051

Big Rivers Transmission System Map

CONFIDENTIAL RESPONSE

to
Item 17
of the
Commission Staff's Request for Information
dated May 15, 2015

FILED: May 27, 2014

**INFORMATION SUBMITTED UNDER PETITION FOR CONFIDENTIAL
TREATMENT**

In the Matter of:

APPLICATION OF)
BIG RIVERS ELECTRIC CORPORATION)
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**Big Rivers System One Line Switching Diagram
Eastern Division**

CONFIDENTIAL RESPONSE

to
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