

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF NORTHERN)	
KENTUCKY WATER DISTRICT FOR APPROVAL)	
OF MADISON PIKE 24-INCH HYDRAULIC)	CASE NO.
REDUNDANCY PROJECT (PHASE 2) AND)	2017-00265
FOR ISSUANCE OF A CERTIFICATE OF)	
CONVENIENCE AND NECESSITY)	

ORDER

On July 11, 2017, Northern Kentucky Water District (“NKWD”) filed a petition, pursuant to KRS 61.878(1)(m) and 807 KAR 5:001, Section 13, requesting that the Commission grant confidential treatment to information provided by NKWD as part of its Application in this proceeding. The designated material is more specifically described as confidential information provided by NKWD and consists of all paper and electronic diagrams and maps of the NKWD water distribution system submitted with its application.

As a basis for its request, NKWD states that disclosure of these diagrams and maps of the NKWD water distribution system could be a threat to public safety by exposing the vulnerabilities of the system in regards to a terrorist act.

Having considered the petition and the material at issue, the Commission finds that the designated material contained in NKWD’s application is generally recognized as confidential or proprietary, and therefore meets the criteria for confidential treatment and is exempted from public disclosure pursuant to KRS 61.878(1)(m) and 807 KAR 5:001, Section 13.

IT IS THEREFORE ORDERED that:

1. NKWD's petition for confidential protection for all paper and electronic diagrams and maps of the NKWD water distribution system submitted with its application is granted.

2. The designated material shall not be placed in the public record or made available for public inspection until further Orders of this Commission.

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

4. NKWD shall inform the Commission if the material in question becomes publicly available or no longer qualifies for confidential treatment.

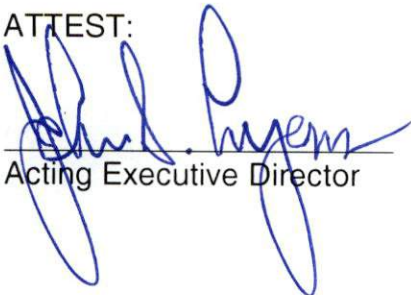
5. If a non-party to this proceeding requests to inspect the material granted confidential treatment by this Order NKWD shall have 20 days from receipt of written notice of the request to demonstrate that the material still falls within the exclusions from disclosure requirements established in KRS 61.878. If NKWD is unable to make such demonstration, the requested material shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

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

By the Commission

ENTERED
AUG 31 2017
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Acting Executive Director

*Amy Kramer
Design Engineering Manager
Northern Kentucky Water District
2835 Crescent Springs Road
P. O. Box 18640
Erlanger, KY 41018-0640

*Honorable John N Hughes
Attorney at Law
124 West Todd Street
Frankfort, KENTUCKY 40601

*Lindsey Rehtin
Northern Kentucky Water District
2835 Crescent Springs Road
P. O. Box 18640
Erlanger, KY 41018-0640

*Northern Kentucky Water District
2835 Crescent Springs Road
P. O. Box 18640
Erlanger, KY 41018-0640