

COMMONWEALTH OF KENTUCKY

**RECEIVED**

BEFORE THE PUBLIC SERVICE COMMISSION

MAY 26 2017

PUBLIC SERVICE  
COMMISSION

In the Matter of:

LOUISVILLE GAS AND ELECTRIC COMPANY )

\_\_\_\_\_  
ALLEGED FAILURE TO COMPLY WITH KRS )  
278.495, 807 KAR 5:022, AND 49 C.F.R. PART 192 )

) CASE NO.  
) 2017-00119

**PETITION OF LOUISVILLE GAS AND ELECTRIC COMPANY  
FOR CONFIDENTIAL PROTECTION**

Louisville Gas and Electric Company ("LG&E"), pursuant to 807 KAR 5:001, Section 13, respectfully petitions the Commission to classify as confidential and protect from public disclosure a gas transmission pipeline system map provided by LG&E in response to the Kentucky Public Service Commission Staff's Initial Request for Information dated May 18, 2017. For reasons involving homeland security, the Company respectfully requests that the Commission grant confidential protection to the Ballardsville Gas Transmission Pipeline System map ("Ballardsville Map").

In further support of this Motion, the Company states as follows:

1. Under the Kentucky Open Records Act, the Commission is entitled to withhold from public disclosure information confidentially disclosed to it to the extent that open disclosure would "have a reasonable likelihood of threatening the public safety by exposing a vulnerability in preventing, protecting against, mitigating, or responding to a terrorist act and limited to: ... (f) infrastructure records that expose a vulnerability referred to in this subparagraph

through the disclosure of the location, configuration, or security of critical systems, including public utility critical systems. These critical systems shall include but not be limited to information technology, communication, electrical, fire suppression, ventilation, water, wastewater, sewage, and gas systems and (g) the following records when their disclosure will expose a vulnerability referred to in this subparagraph: detailed drawings, schematics, maps, or specifications of structural elements, floor plans, and operating, utility, or security systems of any building or facility owned, occupied, leased, or maintained by a public agency.” See KRS 61.878(1)(m)1. Succinctly put, the Ballardsville Map attached to the response to Question No. 1(a) provides information about one of the Company’s gas pipeline systems; as such, the disclosure of which could threaten the public safety generally.

2. The information for which the Company is seeking confidential treatment is not known outside of the Company, except by regulators, is not broadly available within the Companies, and is generally recognized as confidential and proprietary information in the energy industry.

3. If the Commission disagrees with this request for confidential protection, it must hold an evidentiary hearing (a) to protect the Company’s due process rights and (b) to supply the Commission with a complete record to enable it to reach a decision with regard to this matter. Utility Regulatory Commission v. Kentucky Water Service Company, Inc., Ky. App., 642 S.W.2d 591, 592-94 (1982).

4. The Company is filing with the Commission an original of the Ballardsville Map identified as confidential.

**WHEREFORE**, Louisville Gas and Electric Company respectfully requests the Commission to grant confidential protection to the Ballardsville Map provided as requested by Commission Staff indefinitely.

Dated: May 25, 2017

Respectfully submitted,



Allyson K. Sturgeon  
Senior Corporate Attorney  
LG&E and KU Services Company  
220 West Main Street  
Louisville Kentucky, 40202  
Telephone: (502) 627-2088  
allyson.sturgeon@lge-ku.com

Counsel for Louisville Gas and Electric Company