

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

SANCTUARY CHURCH	)	
	)	
COMPLAINANT	)	
	)	CASE NO.
V.	)	2018-00181
	)	
LOUISVILLE GAS AND ELECTRIC COMPANY	)	
	)	
DEFENDANT	)	

ORDER

On September 11, 2018, Louisville Gas and Electric Company (LG&E) filed a petition, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(a), requesting that the Commission grant confidential protection for an indefinite period for the information contained in LG&E's responses to Commission Staff's First Request for Information (Staff's First Request), Item 5 and to Sanctuary Church's First Request for Information (Sanctuary Church's First Request), Item 1.

As a basis for this request, LG&E states that the information in its response to Staff's First Request, Item 5 contains a detailed account and usage information of Sojourn Church.<sup>1</sup> Because Sojourn Church is not a party to this proceeding, LG&E contends that disclosure of this information could result in an unwarranted invasion of personal privacy and that such information should be afforded confidential treatment under

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<sup>1</sup> Sanctuary Church's First Request, Item 1, essentially seeks the same information as sought by Staff's First Request, Items 4 and 5. LG&E's response to Sanctuary Church's First Request, Item 1 refers to the company's responses to Staff's First Request, Items 4 and 5.

KRS61.878(1)(a), which exempts from disclosure under the Kentucky Open Records Act information of a personal nature where public disclosure would constitute an unwarranted invasion of personal privacy.

Having considered the petition and the material at issue, the Commission finds that the information contained in LG&E's response to Staff's First Request, Item 5 is generally recognized as confidential; it, therefore, meets the criteria for confidential treatment and is exempted from public disclosure pursuant to 807 KAR 5:001, Section 13 and KRS 61.878(1)(a).

IT IS THEREFORE ORDERED that:

1. LG&E's petition for confidential protection for certain information contained in its response to Staff's First Request, Item 5, and as described herein, is granted.
2. The designated information contained in LG&E's response to Staff's First Request, Item 5 shall not be placed in the public record or made available for public inspection for an indefinite period or until further Order 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. LG&E 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 and the period during which the material has been granted confidential treatment has not expired, LG&E 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 LG&E 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 LG&E to seek a remedy afforded by law.

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By the Commission

ENTERED  
JAN 08 2019  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:

  
Executive Director