

+COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC 2018 JOINT INTEGRATED)	
RESOURCE PLAN OF LOUISVILLE GAS AND)	CASE NO.
ELECTRIC COMPANY AND KENTUCKY)	2018-00348
UTILITIES COMPANY)	

ORDER

On December 19, 2019, Louisville Gas and Electric Company and Kentucky Utilities Company (jointly Joint Movants) filed a motion, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1), requesting that the Commission grant confidential protection for five years for certain information contained in responses to the Sierra Club’s Supplemental Request for Information (Sierra Club’s Supplemental Request), Items 3 and 7(b).

In support of their motion, Joint Movants state that the information contained in its response to the Sierra Club’s Supplemental Request, Item 3, consists of fuel price forecast information. Joint Movants assert that this information is developed internally and is not publicly available. Joint Movants contend that public disclosure of this information could place the companies at a competitive disadvantage in negotiating contracts in the future and in the wholesale energy market. Joint Movants maintain that this information would provide insight into their cost of producing power and indicate the prices at which the companies are willing to sell power, harming Joint Movants’ ability to negotiate with prospective contractors and vendors in the wholesale power market.

With respect to the response to the Sierra Club's Supplemental Request, Item 7(b), Joint Movants state that this information consists of portions of presentations given to the Ohio Valley Electric Corporation (OVEC) Board of Directors. Joint Movants aver that these presentations include commercially sensitive information relating to projected market prices for energy. Disclosure of this information would ultimately adversely impact the price of power Joint Movants purchase from OVEC.

Having considered the motion and the material at issue, the Commission finds that designated materials are generally recognized as confidential or proprietary; it therefore meets the criteria for confidential treatment and is exempted from public disclosure pursuant to 807 KAR 5:001, Section 13, KRS 61.878(1)(c).

IT IS THEREFORE ORDERED that:

1. Joint Movants' December 19, 2019 motion for confidential protection is granted.
2. The designated materials shall not be placed in the public record or made available for public inspection for five years 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. Joint Movants 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, Joint Movants shall have 30 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 Joint Movants are 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 30 days following an Order finding that the material no longer qualifies for confidential treatment in order to allow Joint Movants to seek a remedy afforded by law.

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By the Commission



ATTEST:

A handwritten signature in blue ink that reads "J. B. Pinner". The signature is written in a cursive style with a large, sweeping underline.

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