

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF KENTUCKY-)	CASE NO.
AMERICAN WATER COMPANY FOR AN)	2018-00358
ADJUSTMENT OF RATES)	

ORDER

On March 26, 2021, Kentucky-American Company (Kentucky-American) filed a motion, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878, requesting that the Commission grant confidential treatment for an indefinite period for contracts issued for infrastructure projects in Kentucky-American's qualified infrastructure program.

In support of its motion, Kentucky-American stated that the designated material contains confidential pricing information and contractors' diversity spending that, if publicly disclosed, would result in commercial injury because it would harm Kentucky-American's ability to negotiate and obtain the most favorable contract terms in future negotiations.

We note that the similar designated material was granted confidential treatment in an Order entered in this proceeding on March 5, 2021.

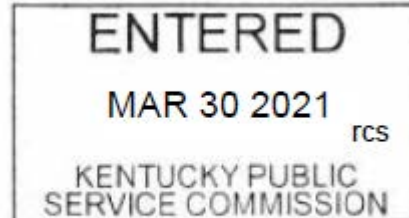
Having considered the motion and the material at issue, the Commission finds that the designated material is generally recognized as confidential or proprietary, it therefore meets the criteria for confidential treatment and is exempted from public disclosure pursuant to 807 KAR 5:001, Section 13, and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

IT IS THEREFORE ORDERED that:

1. Kentucky-American's motion for confidential treatment is granted.
2. The designated material granted confidential treatment by this Order 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 designated material granted confidential treatment by this Order in any Commission proceeding shall comply with 807 KAR 5:001, Section 13(9).
4. Kentucky-American shall inform the Commission if the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment.
5. If a nonparty 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, Kentucky-American 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 Kentucky-American 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 30 days from the date of service of an Order finding that the material no longer qualifies for confidential treatment in order to allow Kentucky-American to seek a remedy afforded by law.

By the Commission

Vice Chairman Kent A Chandler did not participate in the deliberations or decision concerning in this case.



ATTEST:


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