

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF LOUISVILLE)	CASE NO.
GAS AND ELECTRIC COMPANY FOR AN)	2019-00301
AMENDED GAS LINE TRACKER)	

ORDER

This matter arises on a petition filed on September 27, 2019, by Louisville Gas and Electric Company (LG&E), pursuant to KRS 61.878(1) and 807 KAR 5:001, Section 13, requesting that designated materials filed with the Commission be afforded confidential protection for an indefinite period.

In support of its petition, LG&E states that certain information in the Direct Testimonies of John P. Malloy and Robert M. Conroy contains the contract price agreed upon by LG&E and Rosen USA for the design and use of a multi-diameter inline inspection tool. LG&E states that public disclosure of this information would be harmful to LG&E. LG&E contends that public disclosure of the contract price could disadvantage LG&E in negotiating future contracts with third party vendors for pipeline inspection services and the development of pipeline inspection tools. LG&E argues that this commercial harm could negatively impact its ratepayers, who may have to pay higher rates if the disclosed information results in increased contract prices for pipeline inspection services and tools. LG&E also contends that disclosure of the pricing information could cause Rosen USA to be less willing to enter into contracts with LG&E or offer LG&E concessions in future negotiations.

Having considered the petition and the materials at issue, the Commission finds that the designated materials described in LG&E's petition meet the criteria for confidential treatment and are exempted from public disclosure pursuant to KRS 61.878(1)(c)(1).

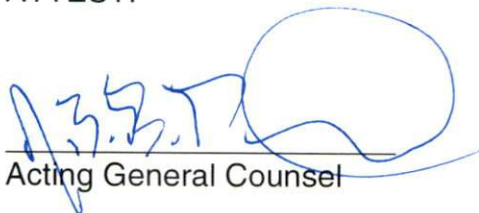
IT IS THEREFORE ORDERED that:

1. LG&E's September 27, 2019 petition for confidential protection is granted.
2. The designated materials shall not be placed in the public record or made available for public inspection for an indefinite period, or until further Orders of this Commission.
3. Use of the designated materials 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 designated materials become publicly available or no longer qualify for confidential treatment.
5. If a non-party to this proceeding requests to inspect the designated materials granted confidential treatment by this Order and the period during which the materials have been granted confidential treatment has not expired, LG&E shall have 30 days from receipt of written notice of the request to demonstrate that the materials still fall within the exclusions from disclosure requirements established in KRS 61.878. If LG&E is unable to make such demonstration, the requested materials shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.
6. The Commission shall not make the designated materials available for inspection for 30 days following an Order finding that the materials no longer qualify for confidential treatment in order to allow LG&E to seek a remedy afforded by law.

By the Commission

ENTERED
MAR 05 2020
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


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