

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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| ELECTRONIC APPLICATION OF OHIO |) | CASE NO. |
| COUNTY WATER DISTRICT FOR AN |) | 2020-00167 |
| ALTERNATIVE RATE ADJUSTMENT |) | |

ORDER

On July 27, 2020, Ohio County Water District (Ohio District) filed a motion, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(a), requesting that the Commission grant confidential treatment for an indefinite period for Ohio District's response to Commission Staff's First Request for Information (Staff's First Request), Item 1(e), which consists of customer billing information, including account numbers and payment history.

In support of its motion, Ohio District argues that the designated material contains personal information that customers have an expectation will be kept private and not publicly disclosed. Ohio District cites to a Kentucky Attorney General opinion¹ that held that public disclosure of this type of customer information is invasive and unwarranted. Ohio District asserts that the designated material is the type of information that is exempted from public disclosure by KRS 61.878(1)(a), which prohibits public disclosure of records containing information that, if publicly disclosed, would result in an unwarranted invasion of personal privacy.

¹ Ky. Op. Atty. Gen. 96-ORD-176 (1996).

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)(a).

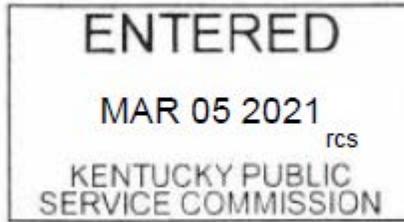
IT IS THEREFORE ORDERED that:

1. Ohio District's July 27, 2020 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. Ohio District 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, Ohio District 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 Ohio District 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 Ohio District to seek a remedy afforded by law.

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By the Commission



ATTEST:



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