

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF NAVITAS KY)	
NG, JOHNSON COUNTY GAS COMPANY,)	
AND B & H GAS COMPANY FOR APPROVAL)	CASE NO.
OF ACQUISITION, TRANSFER OF)	2020-00396
OWNERSHIP, AND CONTROL OF NATURAL)	
GAS UTILITY SYSTEMS)	

ORDER

On March 4, 2021, Navitas KY NG, LLC (Navitas KY), Johnson County Gas Company (Johnson County), and B & H Gas Company (B & H) (collectively, Applicants) filed a motion pursuant to KRS 61.878 and 807 KAR 5:001, Section 13, requesting that the Commission grant confidential treatment for Applicant’s responses to Commission Staff’s Second Request for Information (Staff’s Second Request), Item 2, Exhibits B, C, D, F, G, and H. Applicants request confidential protection of the designated material for an indefinite period.

In support of its motion, Applicants contend that the designated material should be afforded confidential treatment pursuant to KRS 61.878(1)(c)(1) because its consists of sensitive financial information, including financial information for Navitas KY’s sister entities in other states and confidential loan information that if publicly disclosed would result in an unfair commercial advantage to Navitas KY’s competitors.

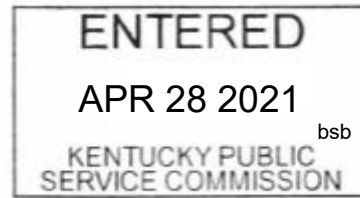
Having considered the motion and the material at issue, the Commission finds that the aforementioned material submitted by Applicants is generally recognized as confidential or proprietary; it therefore meets the criteria for confidential treatment and is

exempted from public disclosure pursuant to KRS 61.878(1)(c)(1) and 807 KAR 5:001, Section 13.

IT IS THEREFORE ORDERED that:

1. Applicant'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. Applicants 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, Applicants 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 Applicants 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 from the date of service of an Order finding that the material no longer qualifies for confidential treatment in order to allow Applicants to seek a remedy afforded by law.

By the Commission



ATTEST:


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