

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF UNION)	CASE NO.
COUNTY WATER DISTRICT FOR AN)	2022-00160
ALTERNATIVE RATE ADJUSTMENT)	

ORDER

On August 9, 2022, Union County Water District (Union District) 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 portions of its responses to Commission Staff's First Request for Information (Staff's First Request), Items 1 and 3, Exhibits 1d, 1f and 1g, and 3a. The designated material for which Union District requests confidential treatment consists of employee-specific wages and insurance contributions identified by individual non-executive employee name.

In support of its motion, Union District argued that the employee-specific compensation is information of a personal nature that is entitled to confidential protection under KRS 61.868(1)(a), which prohibits public disclosure of information of a personal nature that would constitute an unwarranted invasion of personal privacy if publicly disclosed. Union District also argued that public disclosure of the designated material would allow competitors to derive an unfair commercial advantage recruiting current and future employees based upon the competitors' knowledge of Union District employee compensation. For this reason, Union District asserted that the designated material was exempt from public disclosure under KRS 61.878(1)(c)(1), which prohibits public

disclosure of proprietary or confidential information that could result in a competitive disadvantage to the discloser if the information was publicly disclosed.

Having considered the motion and the material at issue, the Commission finds that the designated material is generally recognized as information of a personal nature that, if publicly disclosed, would constitute an unwarranted invasion of personal privacy. The Commission further finds that the designated material is generally recognized as confidential or proprietary. Therefore, the Commission finds that the motion should be granted because the designated material meets the criteria for confidential treatment and is exempted from public disclosure pursuant to 807 KAR 5:001, Section 13, KRS 61.878(1)(a), and KRS 61.878(1)(c)(1).

IT IS THEREFORE ORDERED that:

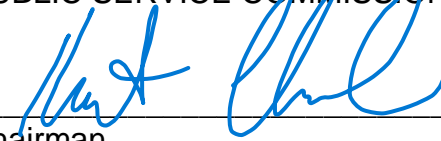
1. Union District's August 9, 2022 motion for confidential treatment is granted.
2. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for an indefinite period or until further Order of this Commission.
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. Union 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, Union 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 Union 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.

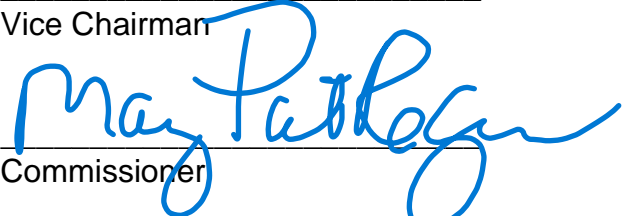
6. The Commission shall not make the requested material available for inspection for 30 days from the date of service of an Order finding that the material no longer qualifies for confidential treatment to allow Union District to seek a remedy afforded by law.

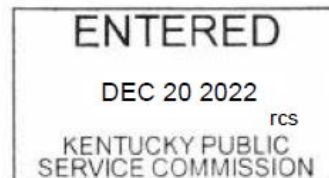
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PUBLIC SERVICE COMMISSION


Chairman

Vice Chairman


Commissioner



ATTEST:


Executive Director

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