

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF JACKSON)	
PURCHASE ENERGY CORPORATION FOR A)	CASE NO.
GENERAL ADJUSTMENT OF RATES AND)	2024-00085
OTHER GENERAL RELIEF)	

ORDER

On May 14, 2024, Jackson Purchase Energy Corporation (Jackson Purchase Energy) filed a motion, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878, requesting that the Commission grant confidential treatment for ten years for the entirety of Jackson Purchase Energy’s response to Commission Staff’s First Request (Staff’s First Request), Items 19 and 20, pursuant to KRS 61.878(1)(a), and KRS 61.878(1)(c)(1).

In support of its motion, Jackson Purchase Energy argued that the information provided in Staff’s First Request, Items 19 and 20 contain cooperative-wide compensation information for all individuals employed by Jackson Purchase Energy, and a wage and salary study. The study was conducted by a third-party consultant and contains personal identifying information of Jackson Purchase Energy employees¹, and would constitute an unwarranted invasion of personal privacy pursuant to KRS 61.878(1)(a). Jackson Purchase Energy’s responses to Staff’s First Request, Items 19 and 20 are dissimilar from the executive salaries which were also filed in the public record.²

¹ Motion for Confidential Treatment (filed May 14, 2024) at 1, paragraph 2.

² Jackson Purchase Energy’s Response to Commission Staff’s First Request for Information (filed May 14, 2024), Item 22.

In addition, Jackson Purchase Energy argued that the information provided in Staff's First Request, Items 19 and 20 contain commercially valuable information distributed only to those who must have access for business reasons.³ The release of this information could competitively harm Jackson Purchase Energy and its competitive position in the marketplace, which would be a detriment to both Jackson Purchase Energy and its end-use members, and would permit an unfair commercial advantage pursuant to KRS 61.878(1)(c)(1).

Having considered the motion and the material at issue, the Commission finds that Jackson Purchase Energy's response to Staff's First Request, Items 19 and 20 is recognized as confidential or proprietary, that if disclosed would constitute an unwarranted invasion of personal privacy, and would permit an unfair commercial advantage to competitors of the disclosing party; it therefore meets the criteria for confidential treatment and should be exempted from public disclosure pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(a), and KRS 61.878(1)(c)(1).

IT IS THEREFORE ORDERED that:

1. Jackson Purchase Energy's May 14, 2024 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 ten years 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).

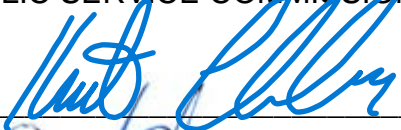
³ Motion for Confidential Treatment at 2, paragraph 5.

4. If the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment, Jackson Purchase Energy shall inform the Commission and file with the Commission an unredacted copy of the designated material.

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, Jackson Purchase Energy 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 Jackson Purchase Energy 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 Jackson Purchase Energy to seek a remedy afforded by law.


PUBLIC SERVICE COMMISSION



Chairman



Vice Chairman



Commissioner

ATTEST:



Executive Director

ENTERED
JUN 21 2024
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KENTUCKY PUBLIC
SERVICE COMMISSION

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