

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC TARIFF FILING OF LOUISVILLE)	CASE NO.
GAS AND ELECTRIC COMPANY TO REVISE ITS)	2024-00125
LOCAL GAS DELIVERY SERVICE TARIFF)	

ORDER

On May 30, 2024, Louisville Gas and Electric Company (LG&E) filed a petition, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878, requesting that the Commission grant confidential treatment for indefinite period for its response to Item 1 of Commission Staff's First Request for Information (Staff's First Request), which requests LG&E to provide, for "each potential customer with whom LG&E has been in discussion regarding the delivery of renewable natural gas...the expected volumetric amount of renewable natural gas (RNG) that will be delivered to LG&E."

In support of its petition, LG&E argued that the information included specific customer data that identified the RNG projects that potential customers are considering and included personal information that should not be in the public domain.¹ Additionally, LG&E argued that the information is not known outside of LG&E, is not disseminated within LG&E except to those employees with a legitimate business need to know and act upon the information and is generally recognized as confidential and proprietary

¹ Petition of LG&E for Confidential Treatment (Petition) (filed May 30, 2024) at 1.

information in the energy industry.² LG&E also argued that the Kentucky Open Records Act exempts from disclosure certain private and personal information.³

Having considered the petition and the material at issue, the Commission finds that LG&E's response to Staff's First Request, Item 1 contains personally sensitive customer-identifying information that is generally recognized as confidential or proprietary; it therefore meets the criteria for confidential treatment and should be exempted from public disclosure pursuant to 807 KAR 5:001, Section 13,⁴ and KRS 61.878 (1)(a).⁵ The Commission has previously held that information about specific customer data is personal information has previously granted confidential protection to similar customer-identifying information.⁶

IT IS THEREFORE ORDERED that:

1. LG&E's May 30, 2024 petition 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 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).

² Petition at 2.

³ KRS 61.878(1)(a).

⁴ 807 KAR 5:001, Section 13

⁵ KRS 61.878 (1)(a)

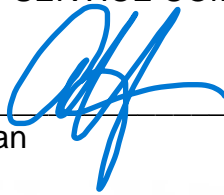
⁶ See, e.g., Case No. 2012-000221, *Application of Kentucky Utilities Company for an Adjustment of its Electric Rates* (Ky. PSC July 25, 2013), Order at 1-2; Case No. 2022- 00012, *Electronic Application of Big Rivers Electric Corporation for a Certificate of Public Convenience and Necessity to Construct a 161 kV Transmission Line in Henderson County, Kentucky* (Ky. PSC June 3, 2022), Order at 3.

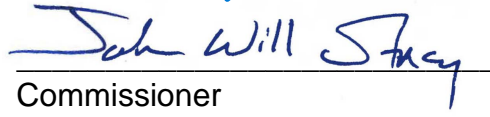
4. If the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment, LG&E shall inform the Commission and file with the Commission an unredacted copy of the designated material.


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, LG&E 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 LG&E 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 LG&E to seek a remedy afforded by law.

PUBLIC SERVICE COMMISSION


Chairman


Commissioner


Commissioner

ATTEST:


Executive Director

ENTERED
SEP 13 2024
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KENTUCKY PUBLIC
SERVICE COMMISSION

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