

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF CRITTENDEN-)	
LIVINGSTON COUNTY WATER DISTRICT FOR A)	
DECLARATORY ORDER OR, IN THE)	CASE NO.
ALTERNATIVE, FOR A CERTIFICATE OF PUBLIC)	2024-00386
CONVENIENCE AND NECESSITY)	

ORDER

On February 24, 2025, Crittenden-Livingston County Water District (Crittenden-Livingston District) filed a petition, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878, requesting that the Commission grant confidential treatment for six months or upon execution of a contract for the clearwell project. The attachment contained bids submitted in response to the request for proposals for construction of the clearwell.¹

In support of its petition, Crittenden-Livingston District argued that the information and documents are all confidential and proprietary and their disclosure would present an unfair commercial advantage to vendors since a contract has not yet been signed.² Crittenden-Livingston District further stated that open disclosure of the bids prior to execution of a contract could impact potential negotiations.³

Having considered the petition and the material at issue, the Commission finds that bids submitted in response to the request for proposals for construction of the clearwell

¹ Crittenden-Livingston District's Petition for Confidential Treatment (Petition for Confidential Treatment) (filed Feb. 24, 2025) at 2.

² Petition for Confidential Treatment at 2.

³ Petition for Confidential Treatment at 2.

project are generally recognized as confidential or proprietary; they therefore meet 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)(c)(1) for six months or until such time as a contract is executed.

IT IS THEREFORE ORDERED that:

1. Crittenden-Livingston District's February 24, 2025 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 six months or upon execution of a contract for the clearwell project 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. If the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment, Crittenden-Livingston District 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, Crittenden-Livingston 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 Crittenden-Livingston 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 Crittenden-Livingston District to seek a remedy afforded by law.

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PUBLIC SERVICE COMMISSION



Chairman



Commissioner

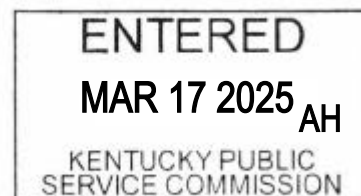


Commissioner

ATTEST:

 RP

Executive Director



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