

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

|                        |   |            |
|------------------------|---|------------|
| TERRI MAXINE HURLEY    | ) |            |
|                        | ) |            |
| COMPLAINANT            | ) |            |
|                        | ) | CASE NO.   |
| V.                     | ) | 2025-00058 |
|                        | ) |            |
| KENTUCKY POWER COMPANY | ) |            |
|                        | ) |            |
| DEFENDANT              | ) |            |

ORDER

On March 23, 2026,<sup>1</sup> Kentucky Power Company (Kentucky Power) 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 the entirety of its response to Commission Staff's Second Request for Information (Staff's Second Request), Item 2 (Attachment 1-2) and Item 3 (Attachment 1) containing customer billing statements and photos of the Complainant's residence.

LEGAL STANDARD

The Commission is a public agency subject to Kentucky's Open Records Act, which requires that all public records "be open for inspection by any person, except as otherwise provided by KRS 61.870 to 61.884."<sup>2</sup> The exceptions to the free and open

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<sup>1</sup> A duplicate response and motion was filed on April 8, 2026, and did not contain a confidential filing.

<sup>2</sup> KRS 61.872(1).

examination of public records should be strictly construed.<sup>3</sup> The party requesting that the materials be granted confidential protection has the burden of establishing that one of the exemptions is applicable.<sup>4</sup> KRS 61.878(1)(a) exempts from disclosure “[p]ublic records containing information of a personal nature where the public disclosure thereof would constitute a clearly unwarranted invasion of personal privacy.”

### DISCUSSION AND FINDINGS

In support of its motion, Kentucky Power argued that disclosure of customer bills, a customer's payment history or lack thereof and the disclosure of the condition of the property at which customers take service would constitute an invasion of personal privacy.

Having considered the motion and the material at issue, the Commission finds that the designated material contained in Kentucky Power's motion are records that meet the criteria for confidential treatment and should be exempted from public disclosure an indefinite period pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(a).

IT IS THEREFORE ORDERED that:

1. Kentucky Power's March 23, 2026 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.

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<sup>3</sup> KRS 61.878.

<sup>4</sup> 807 KAR 5:001, Section 13(2)(c).

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, Kentucky Power shall inform the Commission and file with the Commission an unredacted copy of the designated material.

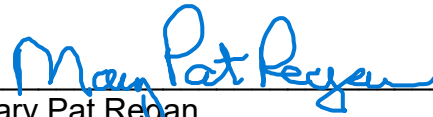
5. If a nonparty to this proceeding requests to inspect the material granted confidential treatment by this Order and the period during which the material has been granted confidential treatment has not expired, Kentucky Power shall have 20 days from receipt of written notice of the request to demonstrate that the material still falls within the exclusions from disclosure requirements established in KRS 61.878. If Kentucky Power 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 Kentucky Power to seek a remedy afforded by law.

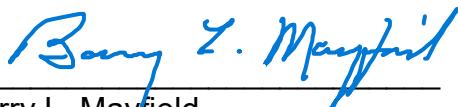
Entered on this 6th day of August, 2026.

PUBLIC SERVICE COMMISSION

  
\_\_\_\_\_  
Angie Hatton  
Chair

  
\_\_\_\_\_  
Mary Pat Reagan  
Vice Chair

  
\_\_\_\_\_  
Andrew W. Wood  
Commissioner

  
\_\_\_\_\_  
Barry L. Mayfield  
Commissioner

ATTEST:

  
\_\_\_\_\_  
Justin McNeil  
Executive Director

## Service List for Case 2025-00058

\* Harlee P. Havens  
Stites & Harbison  
250 West Main Street, Suite 2300  
Lexington, KY 40507

\* Terri M. Hurley  
1834 Rockhouse Road  
Phelps, KY 41553

\* Kentucky Power Company  
1645 Winchester Avenue  
Ashland, KY 41101

\* Kenneth J Gish, Jr.  
Stites & Harbison  
250 West Main Street, Suite 2300  
Lexington, KY 40507