

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF BLUEGRASS	)	
WATER UTILITY OPERATING COMPANY, LLC	)	CASE NO.
FOR AN ADJUSTMENT OF WATER AND	)	2025-00354
SEWAGE RATES	)	

ORDER

This matter arises from six motions filed by Bluegrass Water Utility Operating Company, LLC (Bluegrass Water) pursuant to 807 KAR 5:001, Section 13, and KRS 61.878, requesting that the Commission grant confidential protection for numerous documents filed specifically to its application and responses to requests for information. Each individual motion is addressed below.

February 26, 2026 Motion

In its February 26, 2026 Motion, Bluegrass Water stated that it inadvertently provided a tab labeled “GL Data Pull” within Exhibit 9-Financial Workbook filed as part of its application.¹ Bluegrass Water stated that the information contained “highly detailed confidential information relating to the Company’s general ledgers, including payments to vendors, vendor identities, and detailed descriptions of operations expenses.”² Bluegrass Water argued that information about a company’s detailed inner workings is generally recognized as confidential or proprietary, and that disclosure of the information would

¹ Bluegrass Water’s Motion for Confidential Treatment (February 26, 2026 Motion) (filed Feb. 26, 2026) at 1.

² February 26, 2026 Motion at 1.

provide insight into its internal operations.³ Bluegrass Water requested confidential treatment pursuant to KRS 61.878(1)(c)(1) for a period of five years.

Having considered the motion and the material at issue, the Commission finds that the internal financial data provided in tab “GL Data Pull” 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, and KRS 61.878(1)(c)(1) for a period of five years.

March 2, 2026 Motion

In its March 2, 2026 Motion, Bluegrass Water requested confidential treatment to three exhibits it provided in response to Commission Staff’s Second Request for Information, the Attorney General’s First Request for Information, and Scott County’s First Request for Information.⁴

Bluegrass Water provided an engineering memorandum as Exhibit SC 1-9. Bluegrass Water stated that this document contains trade secrets pertaining to its internal processes developed through experience and is proprietary as it was commissioned by an engineering firm as part of an investigation.⁵ Additionally, Bluegrass Water stated that the engineering memorandum contains diagrams and schematics of critical infrastructure of the Delaplain system.⁶ Bluegrass Water argued that if this information were disclosed, Bluegrass Water would suffer a serious business injury and would place competitors in a

³ February 26, 2026 Motion at 2.

⁴ Bluegrass Water’s Motion for Confidential Treatment (March 2, 2026 Motion) (filed Mar. 2, 2026) at 1.

⁵ March 2, 2026 Motion at 3.

⁶ March 2, 2026 Motion at 4.

competitive advantage. As such, Bluegrass Water requested confidential treatment pursuant to KRS 61.878(1)(c)(1) and KRS 61.878(1)(m)(1) for an indefinite period.

Bluegrass Water also sought confidential treatment to Exhibit PSC 2-29, which contains costumer account balance information, including names and addresses.⁷ Bluegrass Water argued that disclosure of the information would constitute an unwarranted invasion of personal privacy, and as such, requested confidential treatment pursuant to KRS 61.878(1)(a) for an indefinite period.

Lastly, Bluegrass Water sought confidential treatment to the highlighted portions of Exhibit OAG 1-68, which contains pricing provisions of its contracts with third-party service providers.⁸ Bluegrass Water asserted that the third-party service contracts are the result of a competitive bidding process, and disclosure of the information could result in higher bids in future public bidding procedures.⁹ Bluegrass Water requested that the redacted portions receive confidential treatment pursuant to KRS 61.878(1)(c)(1) for a period of five years.

Having considered the motion and the material at issue, the Commission finds that Exhibit SC 1-9 and OAG 1-68 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). Exhibit SC 1-9 should remain confidential for an indefinite period and Exhibit OAG 1-68 should remain confidential for a period of five year. Furthermore, the Commission finds that

⁷ March 2, 2026 Motion at 4.

⁸ March 2, 2026 Motion at 5.

⁹ March 2, 2026 Motion at 5.

customer names, account numbers, and usage information should be exempt pursuant to KRS 61.878(1)(a) for an indefinite period of time.

March 6, 2026 Motion

In its March 6, 2026 Motion, Bluegrass Water requested confidential treatment for multiple exhibits provided in response to the Attorney General's First Request for Information, which were categorized into four subsections: Payments to Contractors, Non-Executive Employee Benefits, Insurance Expenses, and Internal Business Planning Information.

For the documents listed under Payments to Contractors, Bluegrass Water requested confidential treatment for a period of five years pursuant to KRS 61.878(1)(c)(1).¹⁰ These documents include: Exhibit OAG 1-66 - Intelogix Cost Savings, Exhibit OAG 1-76 - Nitor Intelogix Billing, Exhibit OAG 1-77 - Prepayments, Exhibit OAG 1-126 - Page from Service Contract, Exhibit OAG 1-140d - Progress Payments/Retention, Exhibit OAG 1-146b - Invoices, and OAG 1-179 - Contracts Ops.¹¹ Bluegrass Water asserted that these documents contain pricing and other provisions of its contracts with third-party service providers.¹² Bluegrass Water that disclosure of this information could lead to higher bids in future public bidding procedures.¹³

For the documents listed under Non-Executive Employee Benefits, which include Exhibit OAG 1-25 - Salaried Staff, Exhibit OAG 1-26 - Non-Salaried Staff, Exhibit OAG 1-

¹⁰ Bluegrass Water's Motion for Confidential Treatment (June 6, 2026 Motion) (filed June 6, 2026) at 2.

¹¹ June 6, 2026 Motion at 2.

¹² June 6, 2026 Motion at 2.

¹³ June 6, 2026 Motion at 2.

61 - Governmental Affairs, and Exhibit OAG 1-138 - Percent of Raises, Bluegrass Water requested confidential treatment for an indefinite period of time pursuant to KRS 61.878(1)(1).¹⁴ Bluegrass Water stated that these documents contain salary and benefits information for Bluegrass Water's non-executive employees.¹⁵ Bluegrass Water argued that disclosure of this information would give competitors an unfair commercial advantage and would be an unwarranted invasion of personal privacy.¹⁶

For the documents listed under Insurance Expenses, which include Exhibit OAG 1-111 - Insurance Expenses and Exhibit OAG 1-179 - Property Insurance Forecast, Bluegrass Water requested confidential treatment for a period of five years pursuant to KRS 61.878(1)(c)(1).¹⁷ Bluegrass Water stated that these documents contain insurance policies and premiums, and that public disclosure could affect its ability to negotiate for insurance policies in the future.¹⁸

Lastly, for the document listed under Internal Business Planning Information, which includes Exhibit OAG 1-140a - Proforma Plant Additions, Bluegrass Water requested confidential treatment for a period of five years pursuant to KRS 61.878(1)(c)(1). Bluegrass Water provided that this document contains Bluegrass Water's unconstructed plan additions and would reveal competitively sensitive details of its internal business planning and planned capital expenditures if disclosed to the public.¹⁹

¹⁴ June 6, 2026 Motion at 3–4.

¹⁵ June 6, 2026 Motion at 3.

¹⁶ June 6, 2026 Motion at 3.

¹⁷ June 6, 2026 Motion at 4.

¹⁸ June 6, 2026 Motion at 4.

¹⁹ June 6, 2026 Motion at 4.

Having considered the motion and the material at issue, the Commission finds that the documents listed under Payments to Contracts, Insurance Expenses, and Internal Business Planning Information are 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, and KRS 61.878(1)(c)(1) for a period of five years. Further, the Commission finds that the documents listed under Non-Executive Employee Benefits should receive confidential treatment pursuant to KRS 61.878(1)(a) for an indefinite period of time.

June 8, 2026 Motion

In its June 8, 2026 Motion, Bluegrass Water requested confidential treatment for redacted portions of Aaron Silas's Redlined Direct Testimony.²⁰ Bluegrass Water provided that the redlined testimony contains pricing provisions of its service contracts with third-party providers.²¹ Bluegrass Water stated that it previously requested confidential treatment for the original testimony and the Commission granted the request in its January 13, 2026 Order.²²

Having considered the motion and the material at issue, the Commission finds that pricing provisions with third-party providers are generally recognized as confidential or proprietary; it therefore meets the criteria for confidential treatment and should be

²⁰ Bluegrass Water's Motion for Confidential Treatment (June 8, 2026 Motion) (filed June 8, 2026) at 1.

²¹ June 8, 2026 Motion at 1.

²² Order (Ky. PSC Jan. 13, 2026) (*where the Commission granted confidential treatment to redacted portions of the Exhibit 5, the Direct Testimony of Aaron Silas pursuant to KRS 61.878(1)(c)(1)*).

exempted from public disclosure pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(c)(1) for a period of five years.

July 2, 2026 Motion

In its July 2, 2026 Motion, Bluegrass Water requested confidential treatment for seven exhibits provided in response to Commission Staff's Fourth Request for Information and the Attorney General's Third Request for Information.²³ Bluegrass Water stated that Exhibit PSC 4-31 – Arrearage Balances and Exhibit PSC 4-58(b) – Unpaid Bills both contained information relating to individual customers, including names, addresses, account numbers, and other customer account balance information.²⁴ Bluegrass Water argued that public disclosure of this information would constitute an unwarranted invasion of privacy, and requested confidential treatment pursuant to KRS 61.878(1)(a) for an indefinite period of time.²⁵

Bluegrass Water also requested confidential treatment for Exhibit PSC 4-20 – Intelogix Invoices and Exhibit PSC 4-20(f) – Nitor Contract.²⁶ Bluegrass Water stated that these documents contain pricing provisions in contracts with third parties.²⁷ Bluegrass Water argued that public disclosure of these documents would lead to inflated bids in future public bidding procedures and could potentially impact future negotiations.²⁸

²³ Bluegrass Water's Motion for Confidential treatment (July 2, 2026 Motion) (filed July 2, 2026) at 1-2.

²⁴ July 2, 2026 Motion at 5.

²⁵ July 2, 2026 Motion at 5.

²⁶ July 2, 2026 Motion at 3.

²⁷ July 2, 2026 Motion at 3.

²⁸ July 2, 2026 Motion at 4.

Bluegrass Water requested confidential treatment pursuant to KRS 61.878(1)(c)(1) for a period of five years.

Bluegrass Water requested confidential treatment for Exhibit OAG 3-4 – CSWR Consolidated Financials, which it stated contains proprietary information related to the internal financial ability and workings of CSWR and its affiliates for the years 2023, 2024, and 2025.²⁹ Bluegrass Water argued that public disclosure of this information would harm CSWR by creating an imbalance of information with its competitions and requested that it receive confidential treatment pursuant to KRS 61.878(1)(c)(1) for a period of five years.³⁰

Additionally, Bluegrass Water requested confidential treatment for Exhibit OAG 3-65(d) – Rough Service Area Map Randview.³¹ Bluegrass Water provided that the document consists of critical infrastructure, including the approximate locations of the life station and wastewater lagoons. Bluegrass Water argued that public disclosure of the information could lead to a reasonable likelihood of threatening public safety by exposing the approximate locations infrastructure and requested that it receive confidential treatment pursuant to KRS 61.878(1)(m)(1) for an indefinite period of time.³²

Lastly, Bluegrass Water requested confidential treatment for Exhibit OAG 3-15 – Overhead Allocation, which Bluegrass Water stated contains highly detailed information relating to CSWR's general ledgers, including payments to vendors, vendor identities,

²⁹ July 2, 2026 Motion at 5.

³⁰ July 2, 2026 Motion at 5.

³¹ July 2, 2026 Motion at 6.

³² July 2, 2026 Motion at 6–7.

and detailed descriptions of operations expenses.³³ Bluegrass Water argued that such information is generally recognized as confidential or proprietary and stated that disclosure of the information would give competitors an advantage in future bidding processes and negotiations.³⁴ Bluegrass Water requested confidential treatment pursuant to KRS 61.878(1)(c)(1) for a period of five years.³⁵

Having considered the motion and the material at issue, the Commission finds that Exhibits PSC 4-20, PSC 4-20(f), OAG 3-4, and OAG 3-15 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 a period of five years. Further, the Commission finds that Exhibits PSC 4-31 and PSC 4-58(b) should be exempted from public disclosure pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(a) for an indefinite period. Lastly, the Commission finds that Exhibit OAG 3-65(d) should be confidential for an indefinite period of time pursuant to KRS 61.878(1)(m)(1).

July 8, 2026 Motion

In its July 8, 2026 Motion, Bluegrass Water requested confidential treatment for the entirety of Exhibit PSC 4-29, an Excel spreadsheet that contains information relating to Bluegrass Water's internal study assessing the financial implications of moving its third-party operations in house; detailed assumptions about the internal workings and projected operations strategies over the next few years; pricing provisions of current contracts with

³³ July 2, 2026 Motion at 7.

³⁴ July 2, 2026 Motion at 7–8.

³⁵ July 2, 2026 Motion at 8.

third-parties for operations; auto insurance and workers' compensation policies and premiums; and names and compensation information for individuals who may become Bluegrass Water's non-executive employees if Bluegrass Water were to move operations in-house.³⁶

Bluegrass Water argued that if this information was disclosed, competitors would have access to sensitive business planning information and would provide a competitive advantage to third-parties while negotiating in the future.³⁷ Bluegrass Water argued that the internal business planning information, contractor expense information, and insurance information should be confidential pursuant to KRS 61.878(1)(c)(1) for a period of five years.³⁸ Further, Bluegrass Water Bluegrass Water requested that the non-executive employee Information provided in Exhibit PSC 4-29 receive confidential treatment pursuant to KRS 61.878(1)(a) for an indefinite period of time as disclosure of the information would constitute an unwarranted invasion of privacy.³⁹

Having considered the motion and the material at issue, the Commission finds that Exhibit PSC 4-29 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, and KRS 61.878(1)(c)(1) for a period of five years. Additionally, the Commission finds that the information related to non-executive

³⁶ Bluegrass Water's Motion for Confidential Treatment (July 8, 2026 Motion) (filed July 8, 2026) at 2 -4.

³⁷ July 8, 2026 Motion at 2-5.

³⁸ July 8, 2026 Motion at 2-5.

³⁹ July 8, 2026 Motion at 5-6.

employee information meets the criteria for confidential treatment and should be exempted from public disclosure pursuant to KRS 61.878(1)(a) for an indefinite period.

IT IS THEREFORE ORDERED that:

1. Bluegrass Water's February 26, 2026 motion for confidential treatment is granted.

2. Bluegrass Water's March 2, 2026 motion for confidential treatment is granted.

3. Bluegrass Water's March 6, 2026 motion for confidential treatment is granted.

4. Bluegrass Water's June 8, 2026 motion for confidential treatment is granted.

5. Bluegrass Water's July 2, 2026 motion for confidential treatment is granted.

6. Bluegrass Water's July 8, 2026 motion for confidential treatment is granted.

7. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for the periods discussed above with respect each item for which confidential treatment was requested, or until further order of this Commission.

8. 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).

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

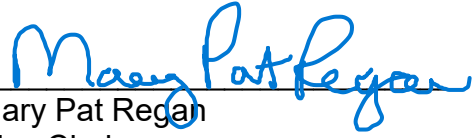
10. If a nonparty to this proceeding requests to inspect the material granted confidential treatment by this Order and the period during which the material has been granted confidential treatment has not expired, Bluegrass Water shall have 20 days from receipt of written notice of the request to demonstrate that the material still falls within the exclusions from disclosure requirements established in KRS 61.878. If Bluegrass Water is unable to make such demonstration, the requested material shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

11. 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 Bluegrass Water to seek a remedy afforded by law.

Entered on this 3rd day of August, 2026.

PUBLIC SERVICE COMMISSION



Angie Hatton
Chair

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Vice Chair

Andrew W. Wood
Commissioner

Barry L. Mayfield
Commissioner

ATTEST:



Justin McNeil
Executive Director

Case No. 2025-00354

Service List for Case 2025-00354

* Angela M Goad
Assistant Attorney General
Office of the Attorney General Office of Rate Intervention
700 Capitol Avenue
Suite 20
Frankfort, KY 40601-8204

* Aaron Silas
Central States Water Resources
1650 Des Peres Road
Suite 303
St. Louis, MO 63131

* R. Brooks Herrick
Dinsmore & Shohl, LLP
101 South Fifth Street
Suite 2500
Louisville, KY 40202

* Cameron R Culbertson
Scott County Attorney
198 E. Washington St.
Georgetown, KY 40324

* Honorable David Edward Spenard
Strobo Barkley PLLC
239 South 5th Street
Ste 917
Louisville, KY 40202

* Hannah Thompson
Dinsmore & Shohl, LLP
101 South Fifth Street
Suite 2500
Louisville, KY 40202

* Joe Pat Covington
Judge/Executive
101 East Main Street
Suite 210
Georgetown, KY 40324

* John Horne
Office of the Attorney General Office of Rate Intervention
700 Capitol Avenue
Suite 20
Frankfort, KY 40601-8204

* Denotes served by Email

* Lawrence W Cook
Assistant Attorney General
Office of the Attorney General Office of Rate Intervention
700 Capitol Avenue
Suite 20
Frankfort, KY 40601-8204

* J. Michael West
Office of the Attorney General Office of Rate Intervention
700 Capitol Avenue
Suite 20
Frankfort, KY 40601-8204

* Bluegrass Water Utility Operating Company, LLC
655 Maryville Centre Drive, Suite 200
St. Louis, MO 63141

* Bluegrass Water Utility Operating Company, LLC
655 Maryville Centre Drive, Suite 200
St. Louis, MO 63141

* Russ Mitten
Bluegrass Water Utility Operating Company, LLC
655 Maryville Centre Drive, Suite 200
St. Louis, MO 63141

* Randal A. Strobo
Strobo Barkley PLLC
239 South 5th Street
Ste 917
Louisville, KY 40202

* Sreenu Dandamudi
Central States Water Resources
1650 Des Peres Road
Suite 303
St. Louis, MO 63131

* Toland Lacy
Office of the Attorney General
700 Capital Avenue
Frankfort, KY 40601

* Edward T Depp
Dinsmore & Shohl, LLP
101 South Fifth Street
Suite 2500
Louisville, KY 40202

* Timothy Mayer
Strobo Barkley PLLC
239 South 5th Street
Ste 917
Louisville, KY 40202