Steven L. Beshear Governor

Leonard K. Peters Secretary Energy and Environment Cabinet



Commonwealth of Kentucky Public Service Commission 211 Sower Blvd. P.O. Box 615 Frankfort, Kentucky 40602-0615 Telephone: (502) 564-3940 Fax: (502) 564-3460 psc.ky.gov

November 21, 2013

Stoll Keenon Ogden PLLC Attention: Lindsey W. Ingram, III 300 West Vine Street, Suite 2100 Lexington, Kentucky 40507-1801

Re: Kentucky American Water Company Petition Requesting Confidential Treatment received 11/8/13 PSC Reference: Case No. 2012-00520

Dear Mr. Ingram:

Pursuant to 807 KAR 5:001, Section 13(3), Kentucky American Water Company by Petition received on November 8, 2013, requested confidential treatment of certain materials filed with the Commission outside of a formal proceeding. 807 KAR 5:001, Section 13(3)(d), of that regulation provides that the Commission's "executive director, as official custodian of the commission's records, shall determine if the material falls within the exclusions from disclosure requirements established in KRS 61.878 and the time period for which the material should be considered as confidential and shall advise the requestor of the determination by letter." This letter constitutes my determination of that request.

The information you seek to have treated as confidential is identified as being submitted to the Commission in compliance with Commission's Order dated October 25, 2013 in PSC Case No. 2012-00520 regarding pending transactions. The information is described as the name and locational description of the municipality that Kentucky American Water Company will be attempting to acquire through the bidding process.

Your justification for having the Public Service Commission handle this material as confidential is that the public disclosure of the information could result in an unfair commercial advantage to competitors.

Based on a review of the information and pursuant to KRS 61.878 and 807 KAR 5:001, Section 13, it has been determined that the information requested to be held confidential is of a proprietary nature, which if publicly disclosed would permit an unfair

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commercial advantage to Kentucky American Water Company's competitors. Therefore, the information requested to be treated as confidential **meets the criteria for confidential protection** and will be removed from the public record and maintained as a nonpublic part of the Commission's file in this case for a 6 month period of time from the date of this correspondence, or until further Orders of the Commission. The procedure for usage of confidential materials during formal proceedings may be found at Section 13(9) of 807 KAR 5:001.

If the information becomes publicly available or no longer warrants confidential treatment, Kentucky American Water Company by Section 8(9)(a) of 807 KAR 5:001 is to inform the Commission so that the information may be placed in the public record.

Any questions regarding this letter should be directed to Gerald E. Wuetcher, Staff Attorney/Policy Advisor at (502) 782-2590.

Sincerely. Derouer

Executive Director

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