

**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

KCE CT 9, LLC Petition For A Declaratory Ruling, Pursuant To Connecticut General Statutes §4-176 And §16-50k, for the Proposed Construction, Maintenance And Operation of a 5.0-Megawatt AC Battery Energy Storage Facility Located at 2 Ella T. Grasso Turnpike, Windsor Locks, Connecticut and Associated Electrical Interconnection.

Petition No. 1579

August 8, 2023

MOTION FOR PROTECTIVE ORDER

KCE CT 9, LLC, (“KCE”) respectfully requests that the Connecticut Siting Council (“Council”) issue a Protective Order to protect certain confidential information which will be provided in response to the Council’s request for interrogatories dated July 18, 2023. Specifically, interrogatory request No. 3, seeks information regarding the project’s costs, cost recovery mechanisms, and energy pricing.

The information contained in this response includes commercially sensitive, confidential financial and proprietary information, which KCE uses for competitive bidding, internal planning and business purposes, and which is vital to its operations and interests. Further, public disclosure of this information would harm KCE’s ability to effectively engage in the highly competitive emerging energy storage market by injuring its competitive positions. As such, KCE considers this information to consist of trade secrets.

Compelling disclosure of this information would constitute an illegal mandate for disclosure of confidential and proprietary information which is protected under both state and federal law. *See*, 5 U.S.C. §552; Conn. Gen. Stat. §1-210(5).

Instead, KCE would like to provide this information directly to the Council under seal, pursuant to the Council’s instructions.

WHEREFORE, KCE requests that any review or reference to the above-requested information be conducted pursuant to a Protective Order.

Respectfully submitted,

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