

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

In the Matter of:

AUG 24 2012

The Application Of Kentucky Power Company)
To Amend Its Demand-Side Management)
Program And For Authority To Implement A)
Tariff To Recover Costs And Net Lost)
Revenues, And To Receive Incentives)
Associated With The Implementation)
Of The Programs)

PUBLIC SERVICE
COMMISSION

Case No. 2012-00367

Petition For Confidential Treatment

Kentucky Power Company moves the Commission pursuant to 807 KAR 5:001, Section 7, for an Order granting confidential treatment to Tables 7, 8, and 9 (page 13), Figure 2 (page 14), and Table 11 (page 17) of the July, 2012 evaluation report prepared by Applied Energy Group, Inc. (“AEG”) and appended as Tab 5 to Kentucky Power’s Application in this proceeding:

Pursuant to 807 KAR 5:001, Section 7, an original of the pages for which confidential treatment is sought is filed under seal with this Petition. In addition, six redacted copies of the subject pages are included with the Company’s “Motion to Withdraw and Replace Application.”

A. The Requests And The Statutory Standards.

The subject pages include retailer-specific information concerning sales of CFL bulbs by retailers in Kentucky Power’s service territory in connection with the Company’s Residential Efficient Products Program. Certain information includes sales by individual retail store. The information was provided to AEG by the retailers in connection with its evaluation of Kentucky Power’s

KRS 61.878(1)(c)(1) excludes from the Open Records Act:

Upon and after July 15, 1992, records confidentially disclosed to an agency or required to be disclosed to it, generally recognized as confidential or proprietary, which if openly disclosed would permit an unfair commercial advantage to competitors of the entity that disclosed the records.

This exception applies to the pages for which confidential treatment is sought.

B. The Nature of Kentucky Power's Injury That Will Result From Disclosure Of The Confidential Information.

The information sought to be protected was disclosed by retailers to Kentucky Power's vendor, AEG, pursuant to a memorandum of understanding requiring the protection of the information from public disclosure unless aggregated and without attribution to an identified retailer. Absent such agreements, retailers are unlikely to provide the information, thereby hampering the ability of Kentucky Power to evaluate and implement retail-based demand-side management programs.

C. The Information Is Generally Recognized As Confidential and Proprietary.

The information sought to be protected is "generally recognized as confidential or proprietary" and is treated as such by Kentucky Power and retailers. To Kentucky Power's knowledge, this information is not made public by the retailers, and the retailers take all reasonable efforts to protect the information from public disclosure. It is Kentucky Power's understanding that such information may be used by competitors of the reporting retailers to gain an unfair competitive advantage.

Dissemination of the information for which confidential treatment is being requested is restricted by Kentucky Power. The Company takes all reasonable measures to prevent its disclosure to the public as well as persons within the Company who do not have a need for the information.

D. Disclosure Of The Information Will Result In An Unfair Commercial Disadvantage for Kentucky Power.

The ability to obtain the information for which confidential treatment is sought aids Kentucky Power in developing, evaluating, and implementing certain of its demand-side management programs. As cost-effective demand-side management programs become an increasingly larger portion of the resources available to Kentucky Power to manage its load, the loss of the ability to evaluate and implement such programs will hinder the Company in freeing up capacity and energy at competitive prices for off-system sales.

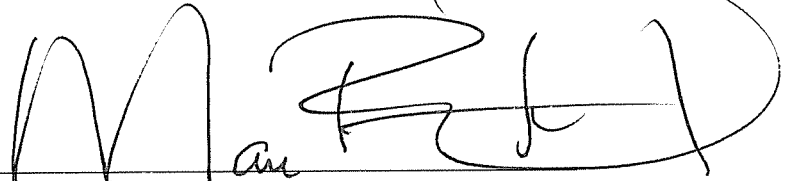
E. The Information Is Required To Be Disclosed To An Agency.

The records for which confidential treatment is sought are required to be disclosed to the Commission, which is a “public agency” as that term is defined at KRS 61.870(1).

Wherefore, Kentucky Power Company respectfully requests the Commission to enter an Order:

1. According confidential status to and withholding from public inspection Tables 7, 8, and 9 (page 13), Figure 2 (page 14), and Table 11 (page 17) of the July, 2012 evaluation report prepared by Applied Energy Group, Inc. (“AEG”) and appended as Tab 5 to Kentucky Power’s Application in this proceeding; and
2. Granting Kentucky Power all further relief to which it may be entitled.

Respectfully submitted

A handwritten signature in black ink, appearing to read 'Mark R. Overstreet', written over a horizontal line.

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