

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KENTUCKY POWER)	
COMPANY TO AMEND ITS DEMAND-)	
SIDE MANAGEMENT PROGRAM AND)	
FOR AUTHORITY TO IMPLEMENT A)	
TARIFF TO RECOVER COSTS AND NET)	CASE NO. 2013-00138
LOST REVENUES, AND TO RECEIVE)	
INCENTIVES ASSOCIATED WITH THE)	
IMPLEMENTATION OF THE PROGRAMS)	

ORDER REGARDING REQUEST FOR CONFIDENTIAL TREATMENT

On June 10, 2013, Kentucky Power Company ("Movant") filed a motion, pursuant to 807 KAR 5:001, Section 13,¹ requesting that certain materials filed with the Commission be afforded confidential treatment and not be placed in the public record subject to public inspection.

In support of its motion, Movant states that the information it is requesting to be held confidential is contained in portions of the attachment to its response to Commission Staff's Second Request for Information, Item No. 4 ("PSC-4"). The information sought to be treated as confidential contains pricing and other information relating to an administrative service contract between Movant and Kema Services, Inc.

Having carefully considered the motion and the materials at issue, the Commission finds that:

1. Portions of the attachment to the response for PSC 2-4 for which Movant seeks confidential treatment meet the criteria for confidential treatment and are

¹ The motion incorrectly referenced 807 KAR 5:001, Section 7. The section of the Commission's Rules of Procedure pertaining to confidential treatment of records is found at Section 13.

exempted from public disclosure pursuant to KRS 61.878(1)(c)(1) and 807 KAR 5:001, Section 13.

2. Portions of the attachment to the response for PSC 2-4 for which Movant seeks confidential treatment should not be placed in the public record or made available for public inspection until December 31, 2016.

IT IS THEREFORE ORDERED that:

1. Movant's motion for confidential protection is hereby granted.

2. Portions of the attachment to the response for PSC 2-4 for which Movant seeks confidential treatment shall not be placed in the public record or made available for public inspection until December 31, 2016.

3. Use of the materials in question in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).

4. Movant shall inform the Commission if the materials in question become publicly available or no longer qualify for confidential treatment.

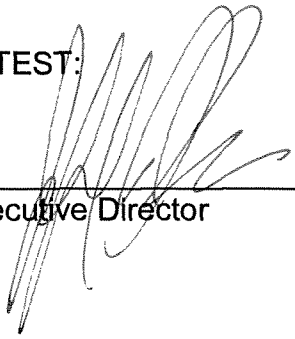
5. If a non-party to this proceeding requests to inspect materials granted confidential treatment by this Order and the period during which the materials have been granted confidential treatment has not run, Movant shall have 20 days from receipt of written notice of the request to demonstrate that the materials still fall within the exclusions from disclosure requirements established in KRS 61.878. If Movant is unable to make such demonstration, the requested materials shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

6. The Commission shall not make the requested materials available for inspection for 20 days following an Order finding that the materials no longer qualify for confidential treatment in order to allow Movant to seek a remedy afforded by law.

By the Commission

ENTERED
AUG 28 2013
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Executive Director

Case No. 2013-00138

Lila P Munsey
Manager, Regulatory Services
Kentucky Power
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