

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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PUBLIC SERVICE
COMMISSION

In The Matter Of:

APPLICATION OF KENTUCKY POWER COMPANY FOR (1) A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AUTHORIZING THE TRANSFER TO THE COMPANY OF AN UNDIVIDED FIFTY PERCENT INTEREST IN THE MITCHELL GENERATING STATION AND ASSOCIATED ASSETS; (2) APPROVAL OF THE ASSUMPTION BY KENTUCKY POWER COMPANY OF CERTAIN LIABILITIES IN CONNECTION WITH THE TRANSFER OF THE MITCHELL GENERATING STATION; (3) DECLARATORY RULINGS; (4) DEFERRAL OF COSTS INCURRED IN CONNECTION WITH THE COMPANY'S EFFORTS TO MEET FEDERAL CLEAN AIR ACT AND RELATED REQUIREMENTS; AND (5) ALL OTHER REQUIRED APPROVALS AND RELIEF

CASE NO. 2012-00578

PETITION FOR CONFIDENTIAL TREATMENT

Kentucky Power Company ("Kentucky Power") moves the Commission pursuant to 807 KAR 5:001, Section 13, for an Order granting confidential treatment for the identified portions of:

- (a) KIUC 1-44; and
- (b) SC 1-18

Pursuant to 807 KAR 5:001, Kentucky Power is filing an unredacted response to KIUC 1-44 and SC 1-18, along with eight redacted copies.

A. The Requests And The Statutory Standard.

Kentucky Power does not object to filing the identified information for which it is seeking confidential treatment, but requests that the identified portions of the responses be excluded from the public record and public disclosure. The Company does not object to providing the identified information to those parties to this proceeding that execute an appropriate confidentiality agreement.

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 those portions of the Company's corrected responses to KIUC 1-44 and SC 1-18, for which Kentucky Power is seeking confidential treatment.

Both data requests seek information regarding the performance data for the Mitchell Units. Such information establishes bench marks for the units that could be used, in conjunction with publicly available information, to determine with greater accuracy the Company's costs and when Kentucky Power may be in the market. Disclosure of such per-unit costs would allow counter-parties to wholesale transactions to adjust their offers to minimize the margin above Kentucky Power's per unit costs. Such information also would permit other participants in the PJM daily energy markets to adjust their offers to the disadvantage of Kentucky Power. In both instances, Kentucky Power's ability to make such sales, as well as the margins on the sale, would be compromised.

Kentucky Power seeks confidential treatment for the identified information being supplied in response to KIUC 1-44 and SC 1-18 for an indefinite period that is no shorter than

the operating life of the units, because the information remains relevant during the entire operating lives of the two units.

Kentucky Power sought confidential treatment for its original responses to KIUC 1-44 and SC 1-18.

- B. The Identified Information is Generally Recognized As Confidential And Proprietary and Public Disclosure Of It Will Result In An Unfair Commercial Advantage for Kentucky Power's Competitors.

The identified information required to be disclosed by Kentucky Power in response to the data requests at issue is highly confidential. Dissemination of the information for which confidential treatment is being requested is restricted by Kentucky Power, AEP, and AEPSC. The Company, AEP and AEPSC take 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. The information is not disclosed to persons outside Kentucky Power, AEP or AEPSC. Within those organizations, the information is available only upon a confidential need-to-know basis that does not extend beyond those employees with a legitimate business need to know and act upon the identified information.

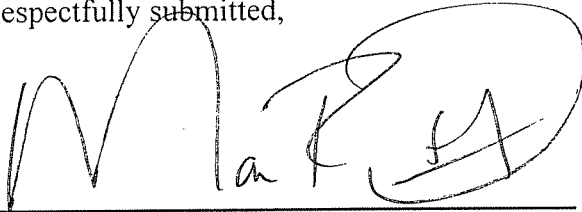
- C. The Identified Information Is Required To Be Disclosed To An Agency.

The identified information is by the terms of the Data Requests and Commission practice required to be disclosed to the Commission. The Commission is a "public agency" as that term is defined at KRS 61.870(1). Any filing should be subject to a confidentiality order and any party requesting such information should be required to enter into an appropriate confidentiality agreement.

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

1. According confidential status to and withholding from public inspection the identified information; 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.

Mark R. Overstreet
R. Benjamin Crittenden
STITES & HARBISON PLLC
421 West Main Street
P. O. Box 634
Frankfort, Kentucky 40602-0634
Telephone: (502) 223-3477

Kenneth J. Gish, Jr.
STITES & HARBISON PLLC
250 West Main Street, Suite 2300
Lexington, Kentucky 40507
Telephone: (859) 226-2300

COUNSEL FOR KENTUCKY POWER
COMPANY

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by overnight delivery, upon the following parties of record, this 15th day of April, 2013.

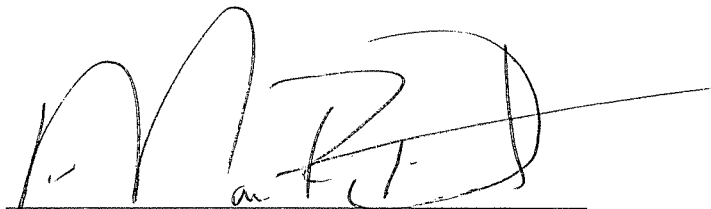
Michael L. Kurtz
Jody Kyler Cohn
Boehm, Kurtz & Lowry
36 East Seventh Street
Suite 1510
Cincinnati, Ohio 45202

Jennifer Black Hans
Dennis G. Howard II
Lawrence W. Cook
1024 Capital Center Drive, Suite 200
Frankfort, Kentucky 40601

Joe Childers
Joe F. Childers & Associates
300 Lexington Building
201 West Short Street
Lexington, Kentucky 40507

Robb Kapla
Staff Attorney
Sierra Club
85 Second Street
San Francisco, CA 94105-3441

Shannon F. Fisk
Earthjustice
1617 JFK Boulevard, Suite 1675
Philadelphia, Pennsylvania 19103



Mark R. Overstreet