

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF EAST KENTUCKY POWER)	
COOPERATIVE, INC FOR APPROVAL OF A)	CASE NO.
SPECIAL CONTRACT BETWEEN EKPC, OWEN)	2013-00174
ELECTRIC COOPERATIVE, AND GALLATIN STEEL)	
COMPANY)	

ORDER

This matter arises on petitions filed on March 31, 2014, and March 31, 2015, by East Kentucky Power Cooperative, Inc. (EKPC), pursuant to 807 KAR 5:001, Section 13, requesting that designated materials filed with the Commission be afforded confidential protection for ten years.

In support of its petitions filed on March 31, 2014, and March 31, 2015, EKPC states that public disclosure of the designated materials filed pursuant to ordering paragraph 3 of Commission's Order dated February 27, 2014, regarding the Gallatin Steel Contract, specifically the cost savings data portion, would result in competitive injury by allowing a competitive disadvantage in future contract negotiations to the detriment of EKPC and its customers.

Having considered the petitions and the materials at issue, the Commission finds that the designated materials described in EKPC's March 31, 2014 and March 31, 2015 petitions meet the criteria for confidential treatment and are exempted from public disclosure pursuant to KRS 61.878(1)(c)(1).

IT IS THEREFORE ORDERED that:

1. EKPC's March 31, 2014 and March 31, 2015 petitions for confidential protection are granted.
2. The designated materials in EKPC's March 31, 2014 and March 31, 2015 petitions shall not be placed in the public record or made available for public inspection for ten years, or until further Orders of this Commission.
3. Use of the designated materials of EKPC's March 31, 2014 and March 31, 2015 petitions in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).
4. EKPC shall inform the Commission if the designated materials of EKPC's March 31, 2014 and March 31, 2015 petitions become publicly available or no longer qualify for confidential treatment.
5. If a non-party to this proceeding requests to inspect the designated materials granted confidential treatment by this Order and the period during which the materials have been granted confidential treatment has not expired, EKPC shall have 30 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 EKPC 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 designated materials of EKPC's March 31, 2014 and March 31, 2015 petitions available for inspection for 30 days following an Order finding that the materials no longer qualify for confidential treatment in order to allow EKPC to seek a remedy afforded by law.

By the Commission

ENTERED
JUN 18 2019
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


Executive Director

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