

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN EXAMINATION OF THE APPLICATION OF THE)	
FUEL ADJUSTMENT CLAUSE OF EAST)	CASE NO.
KENTUCKY POWER COOPERATIVE, INC. FROM)	2017-00283
NOVEMBER 1, 2016 THROUGH APRIL 30, 2017)	

ORDER

On September 15, 2017, East Kentucky Power Cooperative, Inc. (EKPC), filed a motion, pursuant to 807 KAR 5:001, Section 13, requesting that certain materials filed with the Commission be afforded confidential protection and not be placed in the public record subject to public inspection.

In support of its request, EKPC states that the information it is requesting to be held confidential is contained in its responses to requests for information contained in the Appendix to the Commission's Order dated August 30, 2017, Items 15, 19 and 20. The material requested to be held confidential is described as policies and procedures regarding fuel procurement, bid analysis, solicitation, and tabulation information.

Having considered the motion and the material at issue, the Commission finds that the information contained in its responses meets the criteria for confidential treatment and is exempted from public disclosure pursuant to KRS 61.878(1)(c)(1).

IT IS THEREFORE ORDERED that:

1. EKPC's motion for confidential protection for its responses to the requests for information contained in the Appendix to the Commission's Order dated August 30, 2017, is granted.

2. The materials requested to be held confidential shall not be placed in the public record or made available for public inspection for a ten-year period from the date of this Order, or until further Orders of this Commission.

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

4. EKPC shall inform the Commission if the material in question becomes publicly available or no longer qualifies for confidential treatment.

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

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

By the Commission

ENTERED
JUL 26 2018
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


Executive Director

Case No. 2017-00283

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