

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

2017 INTEGRATED RESOURCE PLAN OF BIG) CASE NO.
RIVERS ELECTRIC CORPORATION) 2017-00384

ORDER

This matter arises on a petition filed on September 21, 2017, by Big Rivers Electric Corporation (BREC), pursuant to 807 KAR 5:001, Section 13, requesting that designated materials contained in BREC's integrated resource plan filed with the Commission be afforded confidential protection. The designated materials consist of transmission system maps, load forecasts, planned capital projects, and financial projections. BREC requests that the transmission system maps and load forecasts be granted confidential treatment for an indefinite period. BREC further requests that the remaining information regarding planned capital projects and financial projections be granted confidential treatment for five years.

In support of its petition, BREC states that public disclosure of the transmission system maps is prohibited by KRS 61.878(1)(m)(1), which prohibits disclosure of records that have a reasonable likelihood of threatening public safety by exposing a vulnerability in preventing or protecting against a terrorist act. BREC further states that the load forecast, planned capital projects, and financial projections are exempt from public disclosure under KRS 61.878(1)(c)(1). BREC asserts that public disclosure would result in competitive injury because BREC's ability to obtain the maximum price for power it sells

and keep its cost of production as low as possible would be impaired if contractors and suppliers gain insight into BREC's cost modeling assumptions and strategies.

Having considered the petition and the materials at issue, the Commission finds that the designated materials described in BREC's petition meet the criteria for confidential treatment and are exempted from public disclosure pursuant to KRS 61.878(1)(m)(1) and 61.878(1)(c)(1).

IT IS THEREFORE ORDERED that:

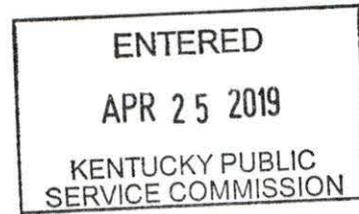
1. BREC's September 21, 2017 petition for confidential protection is granted.
2. The designated materials consisting of transmission system maps and load forecasts shall not be placed in the public record or made available for public inspection for an indefinite period, or until further Orders of this Commission.
3. The remaining designated materials consisting of planned capital projects and financial projections shall not be placed in the public record or made available for public inspection for five years, or until further Orders of this Commission.
4. Use of the designated materials in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).
5. BREC shall inform the Commission if the designated materials become publicly available or no longer qualify for confidential treatment.
6. 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, BREC 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 BREC

is unable to make such demonstration, the requested materials shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

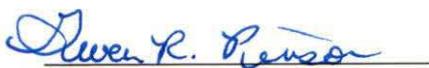
7. The Commission shall not make the designated materials available for inspection for 30 days following an Order finding that the materials no longer qualify for confidential treatment in order to allow BREC to seek a remedy afforded by law.

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By the Commission



ATTEST:


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