

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN EXAMINATION BY THE PUBLIC SERVICE)
COMMISSION OF THE APPLICATION OF THE)
FUEL ADJUSTMENT CLAUSE OF KENTUCKY) CASE NO. 92-492-B
POWER COMPANY FROM MAY 1, 1993 TO)
OCTOBER 31, 1993)

O R D E R

This matter arising upon petition of Kentucky Power Company ("Kentucky Power"), filed March 15, 1994, pursuant to KRS 278.400 and 807 KAR 5:001, Section 4(10), for rehearing of the Commission's Order entered March 4, 1994, denying confidential protection for Kentucky Power's response to data request 1(b) of the Commission's Order dated December 27, 1993, and it appearing to this Commission as follows:

On December 27, 1993, the Commission by Order directed Kentucky Power to furnish certain information contained in the data requests appended to the Order. While responding to the data requests, Kentucky Power petitioned the Commission to hold as confidential, its response to data request 1(b). That request seeks information related to bids received from Kentucky Power's coal suppliers and the methods by which the bids were evaluated. The Commission, on the basis of the factual allegations made in the petition, concluded that the information was not exempt from the provisions of the Open Records Act and the petition was denied. In its application for rehearing, Kentucky Power has requested that

the Commission grant rehearing on its Order of March 4, 1994 and maintain confidential treatment of Kentucky Power's responses during the pendency of rehearing.

Good cause having been shown for Kentucky Power to present additional evidence in its behalf and this Commission being otherwise sufficiently advised,

IT IS ORDERED that:

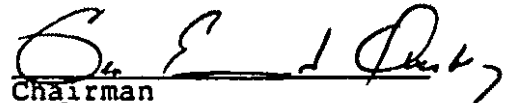
1. Kentucky Power shall within 30 days from the date of this Order file additional evidence in the form of direct testimony and supporting exhibits relative to the issues raised in its petition for confidential protection.

2. The Commission may, after considering the additional evidence, schedule an evidentiary hearing in this matter if such hearing is deemed advisable.

3. The information sought to be protected from public disclosure shall be held and retained by this Commission as confidential pending further Orders herein.

Done at Frankfort, Kentucky, this 28th day of March, 1994.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director