

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF KENTUCKY	)	
POWER COMPANY FOR (1) A GENERAL	)	
ADJUSTMENT OF ITS RATES FOR ELECTRIC	)	
SERVICE; (2) APPROVAL OF TARIFFS AND	)	CASE NO.
RIDERS; (3) APPROVAL OF ACCOUNTING	)	2020-00174
PRACTICES TO ESTABLISH REGULATORY	)	
ASSETS AND LIABILITIES; (4) APPROVAL OF	)	
A CERTIFICATE OF PUBLIC CONVENIENCE	)	
AND NECESSITY; AND (5) ALL OTHER	)	
REQUIRED APPROVALS AND RELIEF	)	

ORDER

On November 12, 2020, Kentucky Power Company (Kentucky Power) filed a motion, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878, requesting that the Commission grant confidential protection for an indefinite period for three credit opinions that Kentucky Power intends to introduce as confidential exhibits at the November 17–20, 2020 hearing in this matter.

In support of its motion, Kentucky Power stated that the information contained in the credit opinions is the intellectual property of Moody’s Investor Service (Moody’s) and is available to Kentucky Power only through a paid subscription. Kentucky Power further stated that the subscription agreement prohibits Kentucky Power from disseminating the credit opinions unless authorized by Moody’s. Kentucky Power explained that Moody’s authorized Kentucky Power to use these exhibits at the hearing if granted confidential treatment.

Having considered the motion and the material at issue, the Commission finds that the designated material is generally recognized as confidential or proprietary, and therefore meets the criteria for confidential treatment and is exempted from public disclosure pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(c).

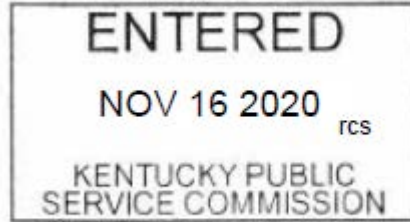
IT IS THEREFORE ORDERED that:

1. Kentucky Power's November 12, 2020 motion for confidential protection is granted.
2. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for an indefinite period, or until further Order of this Commission.
3. Use of the designated material granted confidential treatment by this Order in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).
4. Kentucky Power shall inform the Commission if the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment.
5. If a nonparty 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, Kentucky Power shall have 30 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 Kentucky Power 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 30 days from the date of service of an Order finding that the material no longer qualifies for confidential treatment in order to allow Kentucky Power to seek a remedy afforded by law.

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By the Commission



ATTEST:



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Deputy Executive Director

Case No. 2020-00174

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