Steven L. Beshear Governor

Robert D. Vance, Secretary **Environmental and Public Protection Cabinet**

Larry R. Bond Commissioner Department of Public Protection



Commonwealth of Kentucky **Public Service Commission** 211 Sower Blvd. P.O. Box 615 Frankfort, Kentucky 40602-0615 Telephone: (502) 564-3940 Fax: (502) 564-3460 psc.ky.gov

David L. Armstrong Chairman

> James Gardner Vice-Chairman

John W. Clay Commissioner

June 17, 2008

Sullivan, Mountjoy, Stainback & Miller, P.S.C. Attention: James M. Miller 100 At. Ann Street P.O. Box 727 Owensboro, Kentucky 42302-0727

Re:

Big Rivers Electric Corporation's - Petition for Confidentiality received 3/31/08

PSC Case No. 2007-00455

Dear Mr. Miller:

The Public Service Commission has received the Petition filed March 31, 2008 on behalf of Big Rivers Electric Corporation to protect as confidential, certain information in Exhibit Nos. 45 and 46 to its amended application for approval to issue evidence of indebtedness. The information is identified in the Petition as prices, costs, concessions, terms, and conditions contained in two revolving line of credit agreements with two creditors. Confidentiality is requested on the basis that public disclosure would grant an unfair commercial advantage to competitors.

A review of the information has determined that the financing related information does not meet the criteria for confidentiality. Therefore, this information is denied confidential protection. The Commission's decision to deny confidential protection is based on the fact that Big Rivers operates as a regulated monopoly and it does not have competitors for the electric service it provides to its three distribution cooperative members. Consequently, public disclosure of the provisions of the two revolving line of credit agreements will not result in competitive injury to Big Rivers.

The information denied confidentiality will be withheld from public inspection for 20 days from the date of this letter. If you disagree with the Commission's decision, you may seek rehearing with the Commission within 20 days of the date of this letter under the provisions of KRS 278.400.

Sincerel

Stephanie Stumbo

Executive Director

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cc: Parties of Record

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