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**PUBLIC SERVICE
COMMISSION**

**COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION**

In the Matter of:

AN INVESTIGATION OF THE)	
ENERGY AND REGULATORY)	ADMINISTRATIVE
ISSUES IN SECTION 50 OF)	CASE NO. 2007-00477
KENTUCKY'S 2007 ENERGY ACT)	

**PETITION FOR CONFIDENTIAL
TREATMENT OF INFORMATION**

Comes now the petitioner, East Kentucky Power Cooperative, Inc. ("EKPC") and, as grounds for this Petition for Confidential Treatment of Information (the "Petition"), states to the Public Service Commission (the "Commission") as follows:

1. This Petition is filed in conjunction with the filing of EKPC's response to Request No. 21 from the Commission's Consultant in this case dated January 4, 2008, and relates to confidential information contained in that response that is entitled to protection pursuant to 807 KAR 5:001 Section 7, and KRS §61.878 (1) (c) 1 and related sections.

2. The designated confidential information in Response No. 21 to the Consultant's Data Requests consists of the EKPC's projected avoided energy and demand costs for the years 2010, 2015 and 2020. These projections are derived from projections of future EKPC capital, fuel and operations and maintenance costs, which were included on a confidential basis in EKPC's 2006 Integrated Resource Plan filing in PSC Case No. 2006-00471. Release of these avoided cost projections to the public,

including EKPC business competitors, vendors and suppliers, would allow such competitors to determine EKPC's power production costs for specific periods of time under various operating conditions, and to use such information to potentially underbid EKPC in transactions for the sale of surplus bulk power, which would constitute an unfair competitive disadvantage to EKPC.


3. The Commission granted confidential protection in PSC Case No. 2006-00471 to the projections of future EKPC capital, fuel and operations and maintenance costs, from which the current avoided cost projections are derived, on October 27, 2006.¹ Confidential protection should now be given to those avoided cost projections, on the same grounds.


4. Along with this Petition, EKPC has enclosed one copy of the confidential response, in an envelope designated as containing confidential information, and 10 copies of the complete responses, with the confidential information redacted. The identified confidential information is not publicly available outside of EKPC, and is distributed within EKPC only to persons with a need to use it for business purposes. It is entitled to confidential treatment pursuant to 807 KAR 5:001 Section 7 and KRS §61.878(1)(c) 1, for the reasons stated hereinabove, as information which would permit an unfair commercial advantage to competitors of EKPC if disclosed. The subject information is also entitled to protection pursuant to KRS §61.878(1)(c) 2 c, as records generally recognized as confidential or proprietary which are confidentially disclosed to an agency in conjunction with the regulation of a commercial enterprise.

¹ Note that the Commission's October 27, 2006 ruling on EKPC's Petition for Confidential Protection of Information in the IRP case was made under the initial case designation of PSC Case No. 2006-00017, which was later changed to PSC Case No. 2006-00471.

WHEREFORE, EKPC respectfully requests the Public Service Commission to grant confidential treatment to the identified information and deny public disclosure of said information.

Respectfully submitted,


DAVID A. SMART



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ATTORNEYS FOR EAST KENTUCKY
POWER COOPERATIVE, INC.

CERTIFICATE OF SERVICE

This is to certify that an original and 10 copies of the foregoing Petition for Confidential Treatment of Information in the above-styled case were delivered to the office of Robert A. Amato, Acting Executive Director of the Public Service Commission, 211 Sower Boulevard, Frankfort, KY 40601, and copies were mailed to Parties of Record, this 14th day of January 2008.



Charles A. Lile