Steven L. Beshear Governor

Leonard K. Peters Secretary Energy and Environment Cabinet



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 W. Gardner Vice Chairman

Charles R. Borders Commissioner

November 16, 2010

E.ON U.S. LLC

Attention: Allyson Sturgeon 220 West Main Street Louisville, Kentucky 40202

Re: Kentucky Utilities Company

Petition for Confidential Protection received 10/21/10

PSC Reference #: 2010-00266

Dear Ms. Sturgeon:

The Public Service Commission has received the Petition for Confidential Protection you filed on October 21, 2010 on behalf of Kentucky Utilities Company, ("KU") to protect certain information filed with the Commission as confidential pursuant to Section 7 of 807 KAR 5:001 and KRS 61.878. The information you seek to have treated as confidential is identified as being contained in KU's Responses to Post-Hearing Data Request Nos. 1 and 2. The information is more particularly described as coal bid analysis information which reveals the business model used and the procedure to evaluate bids for coal supply and rail transport.

Your justification for having the Commission handle this material as confidential is that the public disclosure of the information would compromise KU's competitive position in the industry, which would result in an unfair commercial advantage to its competitors.

Based on a review of the information and pursuant to KRS 61.878 and 807 KAR 5:001, Section 7, the Commission has determined that the information requested to be held confidential is of a proprietary nature, which if publicly disclosed would permit an unfair commercial advantage to KU's competitors. Therefore, the information requested to be treated as confidential **meets the criteria for confidential protection** and will be maintained as a nonpublic part of the Commission's file in this case. The procedure for usage of confidential materials during formal proceedings may be found at Section 7(8) of 807 KAR 5:001.



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If the information becomes publicly available or no longer warrants confidential treatment, Kentucky Utilities Company is required by Section 8(9)(a) of 807 KAR 5:001 to inform the Commission so that the information may be placed in the public record.

Sincerely,

Jeff Derouen Executive Director

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cc: Parties of Record