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COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

MAY 11 2011

PUBLIC SERVICE
COMMISSION

In the Matter of:

APPLICATION OF BIG RIVERS ELECTRIC)
CORPORATION FOR A GENERAL) CASE NO. 2011-00036
ADJUSTMENT IN RATES)

**PETITION OF BIG RIVERS ELECTRIC CORPORATION FOR CONFIDENTIAL
PROTECTION**

1. Big Rivers Electric Corporation ("Big Rivers") hereby petitions the Kentucky Public Service Commission ("Commission"), pursuant to 807 KAR 5:001 Section 7 and KRS 61.878(1)(c), to grant confidential protection to the attachments to its updated responses to Items 112 ("KIUC 1-112") and 132 ("KIUC 1-132") of Kentucky Industrial Utility Customers, Inc.'s First Set of Data Requests to Big Rivers Electric Corporation ("KIUC's First Set of Data Requests"). The information in the attachments that Big Rivers seeks to protect as confidential is hereinafter referred to as the "Confidential Information."

2. The attachments to KIUC 1-112 and KIUC 1-132 are contained on a CD marked confidential. One (1) sealed copy of the updated responses to KIUC 1-112 and KIUC 1-132 and the CD is attached to this petition. A copy of the responses without the CD is attached to the original and each of the ten (10) copies of Big Rivers' updated data request responses filed with this petition. 807 KAR 5:001 Sections 7(2)(a)(2), 7(2)(b).

3. A copy of this petition and a copy of the responses without the CD have been served on all parties to this proceeding. 807 KAR 5:001 Section 7(2)(c). Big Rivers has provided a copy of the CD to the parties who have signed a confidentiality agreement, and Big Rivers will provide a copy of the CD to any other party who signs a confidentiality agreement.

1 affects Big Rivers' margins will adversely affect its financial results and potentially impact the
2 price it pays for credit. As was described in the proceeding before this Commission in the Big
3 Rivers unwind transaction case, Big Rivers expects to be in the credit markets on a regular basis
4 in the future.¹

5 **II. The Confidential Information is Generally Recognized as Confidential or**
6 **Proprietary**

7 9. The Confidential Information for which Big Rivers seeks confidential treatment
8 under KRS 61.878(1)(c)(1) is generally recognized as confidential or proprietary under Kentucky
9 law.

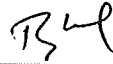
10 10. **KIUC 1-112.** The attachment to Big Rivers' updated response to KIUC 1-112
11 contains off-system sales and prices that Big Rivers has realized in 2011. Big Rivers considers
12 this information confidential because public disclosure of the information would allow Big
13 Rivers' suppliers and competitors to gain insight into the prices at which Big Rivers is willing to
14 sell power on specific days and hours.

15 11. **KIUC 1-132.** The attachment to Big Rivers' updated response to KIUC 1-132
16 contains monthly billing and settlement invoices received by Big Rivers from the Midwest ISO.
17 Big Rivers considers this information confidential because public disclosure of the information
18 would allow suppliers, purchasers, and competitors in the wholesale power market to calculate
19 Big Rivers' generation offer curves and the prices at which Big Rivers is willing to purchase
20 power.

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¹ See Order dated March 6, 2009, *In the Matter of: Joint Application of Big Rivers, E.ON, LG&E Energy Marketing, Inc., and Western Kentucky Energy Corporation for Approval to Unwind Lease and Power Purchase Transactions*, PSC Case No. 2007-00455, pages 27-30 and 37-39.

1 On this the 10th day of May, 2011.
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