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June 13, 2014

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RECEIVED

JUN 13 2014

PUBLIC SERVICE
COMMISSION

HAND DELIVERED

Jeff R. Derouen
Executive Director
Public Service Commission
211 Sower Boulevard
P.O. Box 615
Frankfort, KY 40602-0615

RE: Case No. 2013-00430

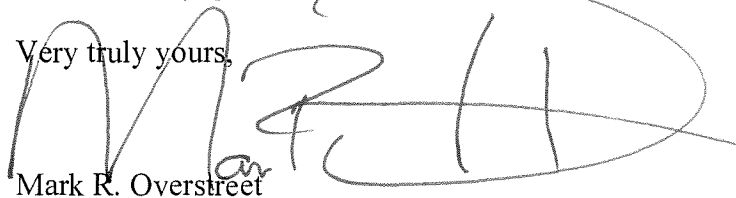
Dear Mr. Derouen:

Enclosed please find and accept for filing the original and ten copies of the Company's responses to the post-hearing data requests, along with the original and ten copies of Kentucky Power Company's motion for confidential treatment of portions of the responses to request numbers 3 and 4.

A copy of the motion and the public version of the responses is being served on counsel for Kentucky Industrial Utility Customers, Inc. along with a copy of this letter.

Please do not hesitate to contact me if you have any questions.

Very truly yours,

A large, stylized handwritten signature in black ink, appearing to read 'MRO', is written over the typed name 'Mark R. Overstreet'.

Mark R. Overstreet

MRO

cc: Michael L. Kurtz

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

JUN 13 2014

PUBLIC SERVICE
COMMISSION

In The Matter Of:

**THE APPLICATION OF KENTUCKY
POWER COMPANY FOR: (1) A
CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY
AUTHORIZING THE COMPANY TO
CONVERT BIG SANDY UNIT 1 TO A
NATURAL GAS-FIRED UNIT; AND (2)
FOR ALL OTHER REQUIRED
APPROVALS AND RELIEF**

CASE NO. 2013-00430

**MOTION OF KENTUCKY POWER COMPANY
FOR CONFIDENTIAL TREATMENT**

Kentucky Power Company (“Kentucky Power” or “Company”) moves the Public Service Commission of Kentucky pursuant to 807 KAR 5:001, Section 13(2), for an Order granting confidential treatment to the identified portions of the attachments to its responses to Post Hearing Data Requests 3 & 4 (“PHDR 3&4 Attachments”). Specifically, Kentucky Power seeks confidential treatment of the information provided by bidders in response to the January 8, 2014 request for proposals for the construction, operation, and maintenance of a natural gas pipeline lateral to provide natural gas to Big Sandy Unit 1 (“Lateral RFP”) issued by American Electric Power Service Corporation (“AEPSC”) on behalf of Kentucky Power.

Pursuant to 807 KAR 5:001, Section 13, Kentucky Power is filing under seal those portions of the PHDR 3&4 Attachments containing confidential information with the confidential portions highlighted in yellow. Kentucky Power is also filing redacted versions of

the PHDR 3&4 Attachments. Kentucky Power will notify the Commission when it determines the information for which confidential treatment is sought is no longer confidential.

A. The Requests And The Statutory Standard.

Kentucky Power does not object to filing the identified information for which it is seeking confidential treatment, but requests that the identified portions of the responses be excluded from the public record and public disclosure.

KRS 61.878(1)(c)(1) excludes from the Open Records Act:

Upon and after July 15, 1992, records confidentially disclosed to an agency or required to be disclosed to it, generally recognized as confidential or proprietary, which if openly disclosed would permit an unfair commercial advantage to competitors of the entity that disclosed the records.

This exception applies to the following information for which Kentucky Power is seeking confidential treatment:

(a) **Attachments to Kentucky Power's Responses to Post Hearing Data Requests 3 & 4.**

Kentucky Power seeks confidential treatment for the identified portions of the PHDR 3&4 Attachments. The PHDR 3&4 Attachments include information, including key pricing and business terms, provided to the Company by third parties pursuant to confidentiality agreements and in response to Kentucky Power's Lateral RFP.

Kentucky Power has not yet finalized contract negotiation with the winning bidder of the Lateral RFP. If the identified portions of the PHDR 3&4 Attachments, which include pricing data from competing bidders, were disclosed, the winning bidder would obtain information about price difference between its bid and the non-selected bids. The winning bidder could use this information in contact negotiations to demand a higher price to the detriment of Kentucky Power and its customers. Conversely, if contract negotiations with the winning bidder were to fail, the

public disclosure of the identified portions of the PHDR 3&4 Attachments would leave Kentucky Power without leverage in negotiating with another bidder as all of the bidders would know where their bids stand as compared to others. Finally, public disclosure of the identified information in the PHDR 3&4 Attachments could result in difficulties in negotiations by the pipeline company to secure the necessary rights of way for the pipeline thereby resulting in project delays and increased project costs.

Further, the information contained in the PHDR 3&4 Attachments was designated as confidential by the bidders responding to the Lateral RFP. Disclosure of this information to the Commission is not prohibited, but the protections afforded by confidential treatment are required.

Finally, failure to maintain this information as confidential could have a chilling effect on the willingness of future bidders to submit responses to Kentucky Power and AEPSC RFPs. The Commission accorded confidential treatment to similar information RFP-derived information by its Order dated November 26, 2013 in Case No. 2012-00578.¹

B. The Identified Information is Generally Recognized As Confidential and Proprietary and Public Disclosure Of It Will Result In An Unfair Commercial Advantage for Kentucky Power's Competitors.

The identified information required to be disclosed by Kentucky Power in response to Post Hearing Data Requests 3&4 is highly confidential. Dissemination of the information for which confidential treatment is being requested is restricted by Kentucky Power, its parent, AEP, and its affiliates (including AEPSC). The Company, AEP, and its affiliates take all reasonable measures to prevent its disclosure to the public as well as persons within the Company who do

¹ *In the Matter of: The Application of Kentucky Power Company For: (1) A Certificate of Public Convenience And Necessity Authorizing The Transfer To the Company Of A Fifty Percent Undivided Interest In The Mitchell Generating Station And Associated Assets; (2) Approval Of The Assumption By Kentucky Power Company Of Certain Liabilities In Connection With The Transfer Of The Mitchell Generating Station; (3) Declaratory Rulings;*

not have a need for the information. The information is not disclosed to persons outside Kentucky Power, AEP, or its affiliates. Within those organizations, the information is available only upon a confidential need-to-know basis that does not extend beyond those employees with a legitimate business need to know and act upon the identified information. In addition, Kentucky Power and AEPSC have further limited the availability of the information to ensure the integrity of the RFP process.

The confidential information should be kept confidential for the initial term of the agreement, anticipated to be 15 years. After this time period, the chilling effect of the disclosure of the information will have passed. Prior disclosure will adversely affect the Company's ability to negotiate future purchased power agreements.

C. The Identified Information Is Required To Be Disclosed To An Agency.

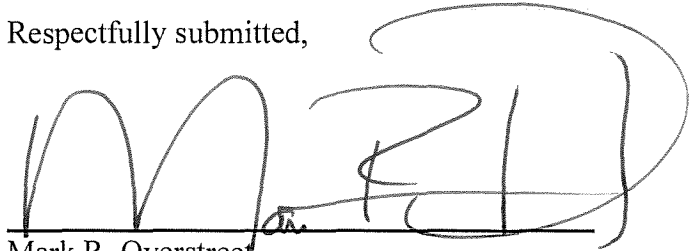
The identified information is by the terms of the Commission's Order required to be disclosed to the Commission. The Commission is a "public agency" as that term is defined at KRS 61.870(1). Any filing should be subject to a confidentiality order and any party requesting such information should be required to enter into an appropriate confidentiality agreement.

WHEREFORE, Kentucky Power Company respectfully requests the Commission to enter an Order:

1. According confidential status to and withholding from public inspection the identified information; and
2. Granting Kentucky Power all further relief to which it may be entitled.

(4) Deferral of Costs Incurred In Connection With The Company's Efforts To Meet Federal Clean Air Act And Related Requirements; And (5) For All Other Required Approvals And Relief.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'M. Overstreet', written over a horizontal line.

Mark R. Overstreet
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P. O. Box 634
Frankfort, Kentucky 40602-0634
Telephone: (502) 223-3477

Kenneth J. Gish, Jr.
STITES & HARBISON PLLC
250 West Main Street, Suite 2300
Lexington, Kentucky 40507
Telephone: (859) 226-2300

COUNSEL FOR KENTUCKY POWER
COMPANY

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by U.S. Mail, postage prepaid, upon the following parties, this 13th day of June, 2014.

Michael L. Kurtz
Jody Kyler Cohn
Boehm, Kurtz & Lowry
Suite 1510
36 East Seventh Street
Cincinnati, OH 45202

A handwritten signature in black ink, appearing to read 'M. R. Overstreet', written over a horizontal line. The signature is stylized and cursive.

Mark R. Overstreet