

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN EXAMINATION OF THE APPLICATION OF	)	
THE FUEL ADJUSTMENT CLAUSE OF	)	CASE NO.
EAST KENTUCKY POWER COOPERATIVE, INC.	)	2014-00451
FROM NOVEMBER 1, 2012 THROUGH OCTOBER	)	
31, 2014	)	

ORDER

This matter arises on two petitions filed on February 24, 2015, and April 14, 2015, by East Kentucky Power Cooperative, Inc. (EKPC), pursuant to 807 KAR 5:001, Section 13, requesting that designated materials filed with the Commission be afforded confidential protection for ten years.

In support of its February 24, 2015 petition EKPC states that the information it is requesting to be held confidential is contained in its responses to requests for information contained in the Appendix to Commission Order dated February 5, 2015, Items 25, 26, and 31. The designated materials are described as coal bid analysis information and EKPC's board policy regarding coal procurement strategies.

In support of its April 15, 2015 petition, EKPC states that the information it is requesting to be held confidential is contained in its responses to Commission Staff's Post-Hearing Requests for Information, Item 1. The designated materials are described as coal price settlement agreement information.

Having considered the petitions and the materials at issue, the Commission finds that the designated materials described in EKPC's February 24, 2015 and April 14, 2015

petitions meet the criteria for confidential treatment and are exempted from public disclosure pursuant to KRS 61.878(1)(c)(1).

IT IS THEREFORE ORDERED that:

1. EKPC's February 24, 2015 and April 14, 2015 petitions for confidential protection are granted.

2. The designated materials shall not be placed in the public record or made available for public inspection for ten years, or until further Orders of this Commission.

3. Use of the designated materials in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).

4. EKPC shall inform the Commission if the designated materials become publicly available or no longer qualify for confidential treatment.

5. If a non-party to this proceeding requests to inspect the designated materials granted confidential treatment by this Order and the period during which the materials have been granted confidential treatment has not expired, EKPC shall have 30 days from receipt of written notice of the request to demonstrate that the materials still fall within the exclusions from disclosure requirements established in KRS 61.878. If EKPC is unable to make such demonstration, the requested materials shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

6. The Commission shall not make the designated materials available for inspection for 30 days following an Order finding that the materials no longer qualify for confidential treatment in order to allow EKPC to seek a remedy afforded by law.

By the Commission

ENTERED  
JAN 24 2019  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:

  
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Executive Director

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