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*Also Licensed in Indiana

August 12, 2014

Via Federal Express

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

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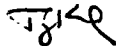
PUBLIC SERVICE
COMMISSION

**RE: *BIG RIVERS ELECTRIC CORPORATION'S FILING OF
WHOLESALE CONTRACTS PURSUANT TO KRS 278.180
AND 807 KAR 5:011 §13, CASE NO. 2014-00134***

Dear Mr. Derouen:

Enclosed for filing are an original and ten (10) copies of (i) Big Rivers Electric Corporation's responses to the Supplemental Requests for Information of the Public Service Commission Staff, the Attorney General, and Kentucky Industrial Utility Customers, Inc.; (ii) a petition for confidential treatment; and (iii) a motion for deviation. I certify that on this date a copy of this letter, a copy of the responses, a copy of the petition, and a copy of the motion were served on each of the persons listed on the attached service list by either regular mail or by federal express.

Sincerely,



Tyson Kamuf
Counsel for Big Rivers Electric Corporation

TAK/lm
Enclosures

cc: Billie Richert, Big Rivers Electric Corporation
DeAnna Speed, Big Rivers Electric Corporation
Service List

Telephone (270) 926-4000
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100 St. Ann Building
PO Box 727
Owensboro, Kentucky
42302-0727

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Service List
PSC Case No. 2014-00134

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BIG RIVERS ELECTRIC CORPORATION

**BIG RIVERS ELECTRIC CORPORATION FILING OF WHOLESALE
CONTRACTS PURSUANT TO KRS 278.180 AND KAR 5:011 §13
CASE NO. 2014-00134**

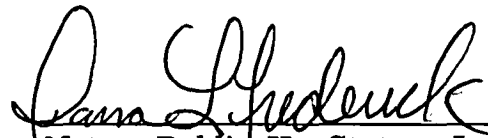
VERIFICATION

I, Lindsay N. Barron, verify, state, and affirm that I prepared or supervised the preparation of my responses to data requests filed with this Verification, and that those responses are true and accurate to the best of my knowledge, information, and belief formed after a reasonable inquiry.


Lindsay N. Barron

COMMONWEALTH OF KENTUCKY)
COUNTY OF HENDERSON)

SUBSCRIBED AND SWORN TO before me by Lindsay N. Barron on
this the 8th day of August, 2014.


Notary Public, Ky. State at Large
My Commission Expires May 16, 2018

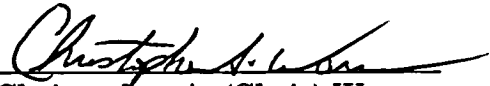


BIG RIVERS ELECTRIC CORPORATION

**BIG RIVERS ELECTRIC CORPORATION FILING OF WHOLESALE
CONTRACTS PURSUANT TO KRS 278.180 AND KAR 5:011 §13
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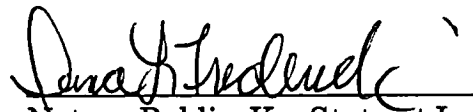
VERIFICATION

I, Christopher A. (Chris) Warren, verify, state, and affirm that I prepared or supervised the preparation of my responses to data requests filed with this Verification, and that those responses are true and accurate to the best of my knowledge, information, and belief formed after a reasonable inquiry.


Christopher A. (Chris) Warren

COMMONWEALTH OF KENTUCKY)
COUNTY OF HENDERSON)

SUBSCRIBED AND SWORN TO before me by Christopher A. (Chris) Warren on this the 11th day of August, 2014.


Notary Public, Ky. State at Large
My Commission Expires May 6, 2018



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PUBLIC SERVICE
COMMISSION

Your Touchstone Energy® Cooperative 

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION OF KENTUCKY

In the Matter of:

BIG RIVERS ELECTRIC CORPORATION)	
FILING OF WHOLESALE CONTRACTS)	Case No. 2014-00134
PURSUANT TO KRS 278.180 AND KAR 5:011 §13)	

**Response to the Commission Staff's
Supplemental Request for Information
dated July 30, 2014**

FILED: August 13, 2014

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BIG RIVERS ELECTRIC CORPORATION

**BIG RIVERS ELECTRIC CORPORATION'S FILING OF WHOLESALE
CONTRACTS PURSUANT TO KRS 278.180 and 807 KAR 5:011 §13
CASE NO. 2014-00134**

**Response to Commission Staff's
Supplemental Request for Information
Dated July 30, 2014**

August 13, 2014

1 **Item 1) Refer to the fifth sentence in the response to Item 1.e. of Commission**
2 **Staff's Initial Request for Information ("Staff's First Request"), page 4 of 6. Outside of**
3 **the advantage mentioned on lines 17-18 on this page, provide any additional**
4 **advantages.**

5

6 **Response) The [REDACTED] will provide savings to Big Rivers through the**
7 **avoidance of [REDACTED]. By having [REDACTED], Big Rivers will not**
8 **be required to [REDACTED] Savings will be realized**
9 **because the [REDACTED]**
10 **[REDACTED]. Also, the [REDACTED] will likely increase the feasibility of [REDACTED]**
11 **[REDACTED] this transaction**
12 **because our request [REDACTED] than it otherwise**
13 **would have been. It is our expectation that the [REDACTED]**
14 **[REDACTED], the more likely it is to be available.**

15

16 **Witness) Lindsay N. Barron**



BIG RIVERS ELECTRIC CORPORATION

**BIG RIVERS ELECTRIC CORPORATION'S FILING OF WHOLESALE
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**Response to Commission Staff's
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August 13, 2014

1 **Item 2) Refer to the attachment to the response to Item 3 of Staff's First Request,**
2 **page 6 of 20.**

3 **a. Refer to the second sentence of the paragraph. Provide the reduction in margins**
4 **that would result under the worse-case scenario.**

5 **b. Refer to the Margins column in Figure 2. State whether "Margins" refers to**
6 **revenues less variable costs. If no, provide a definition for "Margins" as used in**
7 **the table.**

8
9 **Response)**

10 **a. Each of the sensitivities performed were low probability events, thus the likelihood of**
11 **such events occurring simultaneously has a probability near zero. However, Big**
12 **Rivers feels an absolute worse-case scenario would be a combination of [REDACTED]**

13 **[REDACTED]. By**
14 **combining these two scenarios, Big Rivers' margins on the transaction would be**
15 **roughly [REDACTED] versus the expected margins of [REDACTED] on the transaction.**

16 **b. "Margins" does refer to revenues less variable costs to generate and deliver power to**
17 **the Nebraska entities (contribution to fixed costs).**

18

BIG RIVERS ELECTRIC CORPORATION

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1 Witness) Lindsay N. Barron

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BIG RIVERS ELECTRIC CORPORATION

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1 **Item 3) Refer to the response to Item 9 of the Kentucky Industrial Utility**
2 **Customers, Inc.'s Initial Request for Information, Attachment 2, page 2 of 3, the second**
3 **paragraph on the page. State whether Big Rivers currently has the type of rate**
4 **discussed in this paragraph. If no, state whether Big Rivers intends to request**
5 **Commission approval for implementation of the rate. If yes, provide the case number**
6 **and case style in which the rate was approved by the Commission.**

7

8 **Response) Big Rivers currently has a proposed Economic Development Incentive Rate**
9 **("EDR") which it is offering to its Members in an effort to attract new load to western**
10 **Kentucky. Big Rivers' EDR has not yet been submitted to or approved by the Commission.**
11 **When Big Rivers and its Members are successful in attracting new load, Big Rivers plans to**
12 **seek Commission approval of the EDR through the submission of a special contract pursuant**
13 **to the Commission's order issued on September 24, 1990 in Administrative Case No. 327.**

14

Big Rivers' [REDACTED]

15

16

[REDACTED] will be brought to the Commission for approval through a new
17 special contract.

18

BIG RIVERS ELECTRIC CORPORATION

**BIG RIVERS ELECTRIC CORPORATION'S FILING OF WHOLESALE
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1 Witness) Lindsay N. Barron

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**PUBLIC SERVICE
COMMISSION**

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION OF KENTUCKY

In the Matter of:

BIG RIVERS ELECTRIC CORPORATION)	
FILING OF WHOLESALE CONTRACTS)	Case No. 2014-00134
PURSUANT TO KRS 278.180 AND KAR 5:011 §13)	

**Response to the Office of the Attorney General's
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BIG RIVERS ELECTRIC CORPORATION

**BIG RIVERS ELECTRIC CORPORATION'S FILING OF WHOLESALE
CONTRACTS PURSUANT TO KRS 278.180 and 807 KAR 5:011 §13
CASE NO. 2014-00134**

**Response to the Office of the Attorney General's
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August 13, 2014

1 **Item 1) Regarding the [REDACTED]**
2 **[REDACTED]**
3 **[REDACTED] [hereinafter: [REDACTED]] provided in response to PSC**

4 **1-3, please provide the following information:**

5 **a) Electronic copies of all analysis performed for the [REDACTED] and each of the six**
6 **[REDACTED] as shown in Figure 1 on p. 4 of 20.**

7 **b) The latest production cost model and financial models generated by Big Rivers**
8 **with the proposed contract sales.**

9 **c) Describe how revenues were calculated for the [REDACTED] and each of the six**
10 **[REDACTED] with each of the different financial models and production cost**
11 **models used for each case.**

12 **d) To the extent the production cost models and financial models have already been**
13 **provided in response to AG 1-12, please explain the following:**

14 **i. Which of the five model runs are used for each of the six**
15 **[REDACTED].**

16 **ii. Description of how Figure 1 [REDACTED] were derived with the model**
17 **runs. Explanation should include references to cells in the model**
18 **run spreadsheets.**

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**Response to the Office of the Attorney General's
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1

2 **Response)**

3

a. Please see the attachment on electronic media in the folder AG 2-1 provided
under a petition for confidential treatment.

4

5

b. Please see Big Rivers' response to AG 1-12.

6

c. The analysis provided was based on the confidential attachment provided in
response to Subpart a.

7

8

d.

9

i. None. Please see the response to Subpart c.

10

ii. The margins were derived in the confidential attachment provided in

11

response to Subpart a. Margins were calculated as the difference

12

between expected revenues and variable costs of service. Please see

13

the Tab labeled "Scenario Summary" which includes cell references

14

that lead to the detailed spreadsheet calculations for each scenario.

15

16 **Witness)** Lindsay N. Barron

Case No. 2014-00134

AG 2-1

Attachment filed under petition for confidential treatment on
electronic media

BIG RIVERS ELECTRIC CORPORATION

**BIG RIVERS ELECTRIC CORPORATION'S FILING OF WHOLESALE
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**Response to the Office of the Attorney General's
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August 13, 2014

1 **Item 2) Regarding the [REDACTED], please provide the following**
2 **information:**

3 **a. At the top of page 15 the following statement is made: [REDACTED]**

4 **[REDACTED] Given that SPP**
5 **does not have a capacity market, please explain this statement in detail.**

6 **b. All spreadsheets in electronic format used to develop all figures provided in the**
7 **study, with data and formulas in all cells and rows fully intact and accessible.**

8

9 **Response)**

10 **a. The intended meaning of the statement was [REDACTED]**

11 **[REDACTED]. [REDACTED] can be [REDACTED]**

12 **[REDACTED], and while the [REDACTED] is currently only [REDACTED],**

13 **Big Rivers will plan at least [REDACTED]**

14 **[REDACTED].**

15 **b. Please see the electronic attachment provided under a petition for confidential treatment**
16 **in response to Item AG 2-1.a.**

17

18 **Witness) Lindsay N. Barron**

.. ..

)

BIG RIVERS ELECTRIC CORPORATION

**BIG RIVERS ELECTRIC CORPORATION'S FILING OF WHOLESALE
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1 **Item 3) Regarding the Term Sheet found in the Appendix to the [REDACTED]**

2 **[REDACTED], please provide the following information:**

3 **a. Per the term sheet, the agreement [REDACTED]**

4 **[REDACTED]**

5 **[REDACTED]**

6 **[REDACTED] Please explain this apparent discrepancy, and provide any**
7 **and all analyses performed by Big Rivers or on its behalf which evaluates the**
8 **effect of this difference.**

9 **b. [REDACTED]**

10 **[REDACTED]**

11 **[REDACTED]**

12 **[REDACTED] Please explain this apparent discrepancy, and provide any**
13 **and all analyses performed by Big Rivers or on its behalf which evaluates the**
14 **effect of this difference.**

15 **c. The term sheet refers to a [REDACTED]**

16 **[REDACTED]**

17 **[REDACTED] Please explain this apparent**

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**Response to the Office of the Attorney General's
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1 discrepancy, and provide any and all analyses performed by Big Rivers or on its
2 behalf which evaluates the effect of this difference.

3

4 **Response)**

5 a. The Term Sheet provided in the Appendix to the [REDACTED] was a preliminary
6 term sheet effective at the point in time the [REDACTED] was conducted. The Term
7 Sheet was used by the parties to establish a general framework for final contract
8 negotiations. The final contracts presented for approval in this case represent the
9 agreed to terms from the parties based on all negotiations necessary to come to
10 agreement on this transaction. The [REDACTED] noted above was qualitatively
11 analyzed, and its impact is not significant to the feasibility and reasonableness of
12 these contracts.

13 b. The [REDACTED] noted above is not significant to the feasibility and reasonableness
14 of these contracts. The [REDACTED] will drive a roughly [REDACTED]

15

16

BIG RIVERS ELECTRIC CORPORATION

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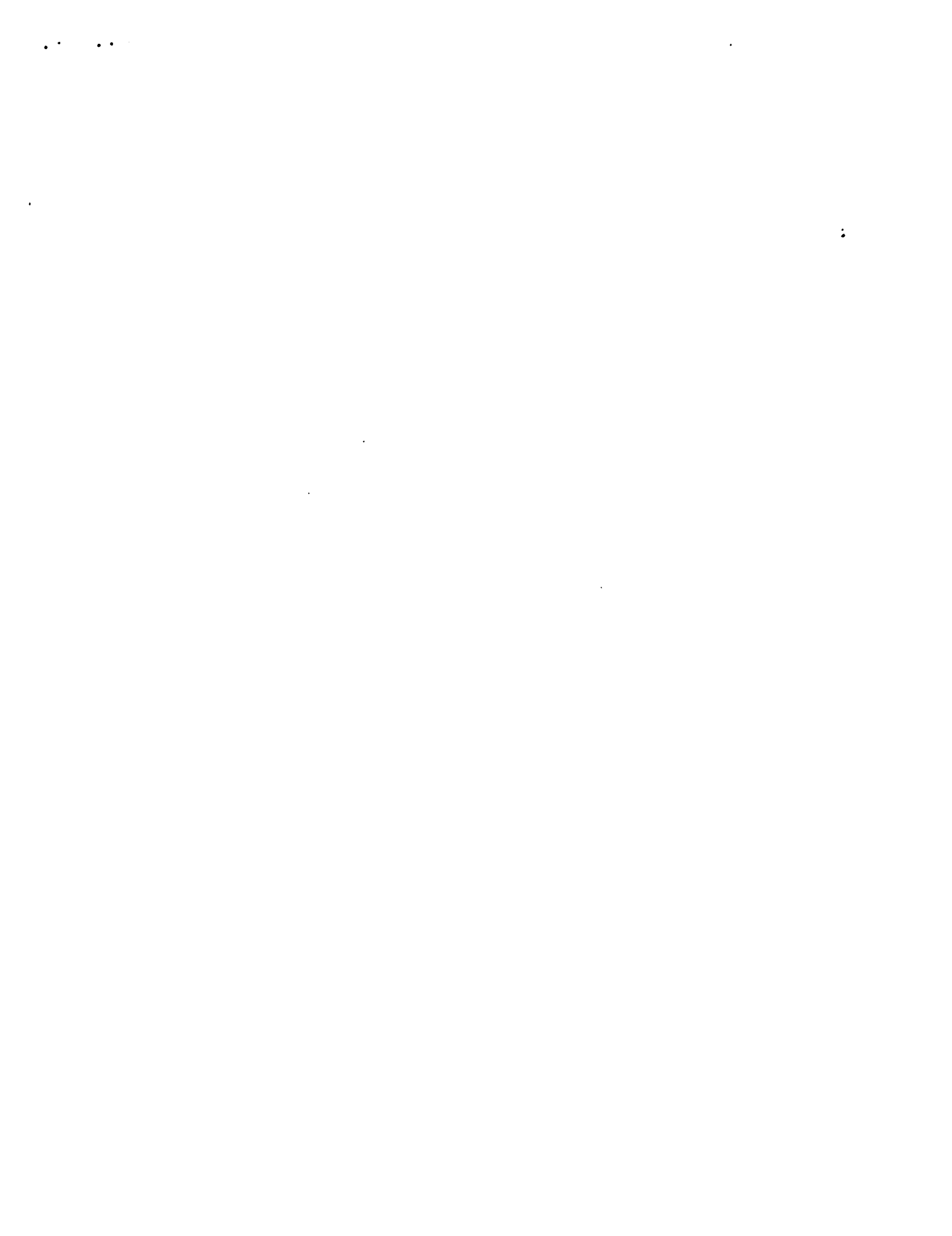
**Response to the Office of the Attorney General's
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1 c. Please see part a. The change from [REDACTED]
2 [REDACTED] is not believed to be significant to the feasibility and
3 reasonableness of these contracts.

4

5 Witness) Lindsay N. Barron



BIG RIVERS ELECTRIC CORPORATION

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August 13, 2014

1 **Item 4)** In response to AG 1-4 (a)(i), Big Rivers states that it is “unsure of what
2 information is sought through this question.” Specifically, Network Integrated
3 Transmission Service Agreements (NITSAs) under the SPP OATT require that the load
4 listed in the NITSA have adequate network resources to serve the load. Additionally, all
5 generation capacity necessary to cover the load plus reserves must have firm
6 transmission service to meet the SPP reliability criteria. The questions are specifically:

7 a. What [REDACTED] does the Company assume will be used as [REDACTED]
8 [REDACTED], listed in the subsequent [REDACTED]
9 [REDACTED]?

10 b. Will there be one [REDACTED]
11 [REDACTED]?

12 c. [REDACTED]’?

13
14 **Response)**

15 a. Big Rivers anticipates that its generators [REDACTED]
16 [REDACTED] to supply the Nebraska
17 entities.

BIG RIVERS ELECTRIC CORPORATION

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1 b. The answer to this question is dependent on the outcome of the transmission studies
2 yet to be performed by SPP.

3 c. Big Rivers and the Nebraska entities [REDACTED]
4 [REDACTED] Big Rivers does not
5 believe there to be a material difference to Big Rivers under either scenario.

6

7 Witness) Lindsay N. Barron

• • • • •

•

BIG RIVERS ELECTRIC CORPORATION

**BIG RIVERS ELECTRIC CORPORATION'S FILING OF WHOLESALE
CONTRACTS PURSUANT TO KRS 278.180 and 807 KAR 5:011 §13
CASE NO. 2014-00134**

**Response to the Office of the Attorney General's
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Dated July 30, 2014**

August 13, 2014

1 **Item 5) Referencing the production cost models and financial models provided in**
2 **response to AG 1-12, please explain the following:**

- 3 a. **Which specific model addresses which specific sensitivity;**
4 b. **Which specific cells in the models have been changed for each sensitivity;**
5 c. **Referencing question 1 above, please explain how each of the models**
6 **address the [REDACTED].**

7
8 **Response)**

- 9 a. For the Base Case, the production cost model named *Big*
10 *Rivers.15yearsSeptember2013.BaseCase CONFIDENTIAL.xlsm*, and financial
11 model named *Financial Forecast (2014-2028) 12-13-2013 (NE-BASE CASE)*
12 *CONFIDENTIAL.xlsx* were provided. For the 0% NPPD Growth Rate case, the
13 production cost model named *Big Rivers.15yearsSeptember2013.Case3*
14 *CONFIDENTIAL.xlsm*, and financial model named *Financial Forecast (2014-*
15 *2028) 12-13-2013 (NE-Case 3) CONFIDENTIAL.xlsx* were provided. For the
16 LMP Differential between Big Rivers' generation and Delivery Point goes to
17 \$0/MWh case, the production cost model named *Big*
18 *Rivers.15yearsSeptember2013.Case4 CONFIDENTIAL.xlsm* and financial model

Case No. 2014-00134

Response to AG 2-5

Witnesses: Lindsay N. Barron and Christopher A. Warren

Page 1 of 3

BIG RIVERS ELECTRIC CORPORATION

**BIG RIVERS ELECTRIC CORPORATION'S FILING OF WHOLESALE
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- 1 named *Financial Forecast (2014-2028) 12-13-2013 (NE-Case 4)*
- 2 *CONFIDENTIAL.xlsx* were provided. For the Nebraska Peak and Energy down
- 3 10% case, the production cost model named *Big*
- 4 *Rivers.15yearsSeptember2013.Case5 CONFIDENTIAL.xlsm* and financial model
- 5 named *Financial Forecast (2014-2028) 12-13-2013 (NE-Case 5)*
- 6 *CONFIDENTIAL.xlsx* were provided. For the NPPD Demand Charge Increases
- 7 more than projection case, the production cost model named *Big*
- 8 *Rivers.15yearsSeptember2013.Case6 CONFIDENTIAL.xlsm* and financial model
- 9 named *Financial Forecast (2014-2028) 12-13-2013 (NE-Case 6)*
- 10 *CONFIDENTIAL.xlsx* were provided.
- 11 b. On the ISO Style Costs worksheet of each production cost model, the information
- 12 related to the Nebraska analysis begins on row 121. In each of the financial
- 13 models, the information related to the Nebraska contracts is input on row 11 of
- 14 the PCM worksheet and row 87 of the Rates worksheet.
- 15 c. For each case, the detail for the Nebraska transaction is located beginning on row
- 16 21 on the ISO Style Costs worksheet of each corresponding production cost
- 17 model. The sales volumes and rate information that will be achieved for each

BIG RIVERS ELECTRIC CORPORATION

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1 case was input in the financial model to understand the financial impact of each
2 case.

3

4 **Witnesses)** Lindsay N. Barron and Christopher A. Warren

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BEFORE THE PUBLIC SERVICE COMMISSION OF KENTUCKY

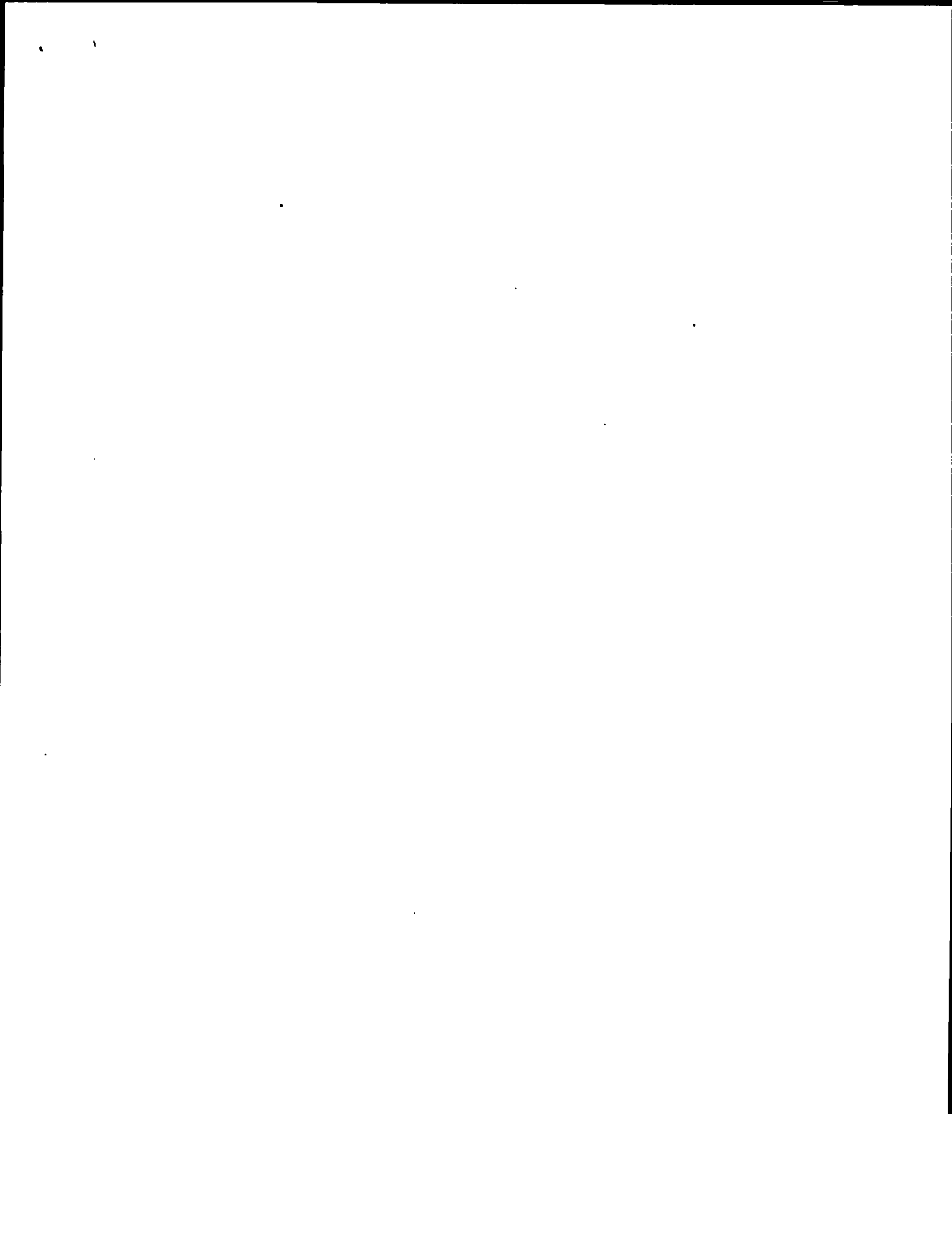
In the Matter of:

**BIG RIVERS ELECTRIC CORPORATION)
FILING OF WHOLESAL CONTRACTS) Case No. 2014-00134
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**Response to the Kentucky Industrial Utility Customers, Inc.'s
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1 **Item 1) Section 3.11 of the NE contracts include references to a Big Rivers**
2 **economic development rate.**

3 **a. Please provide a copy of all analyses, studies, and correspondence addressing**
4 **the development and/or application of the economic development rate for**
5 **new NE retail industrial customers.**

6

7 **Response) Please see Big Rivers' response to KIUC 1-7 and the two confidential**
8 **attachments provided as an attachment hereto.**

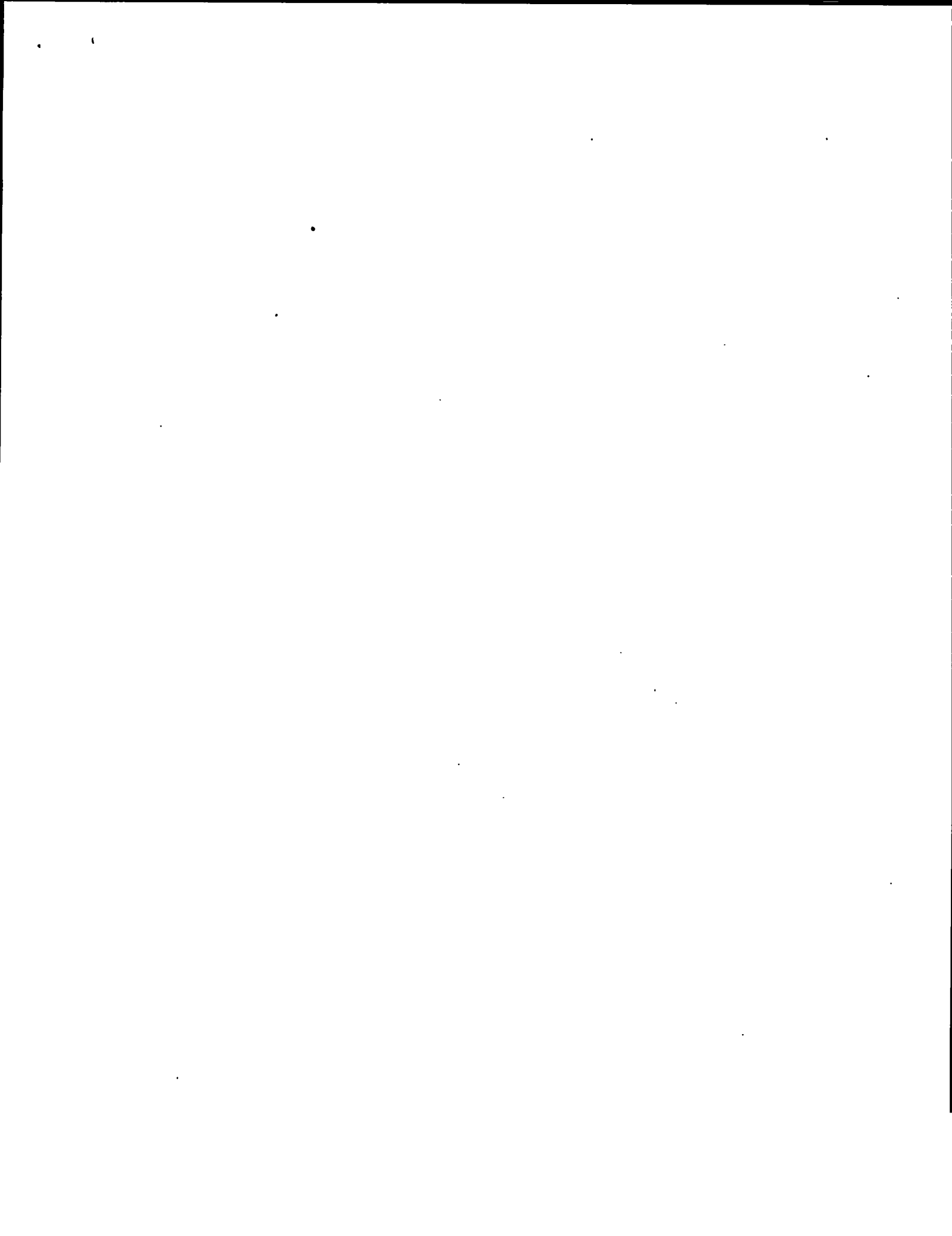
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10 **Witness) Lindsay N. Barron**

Case No. 2014-00134

KIUC.2-1

Attachments filed under petition for confidential treatment



BIG RIVERS ELECTRIC CORPORATION

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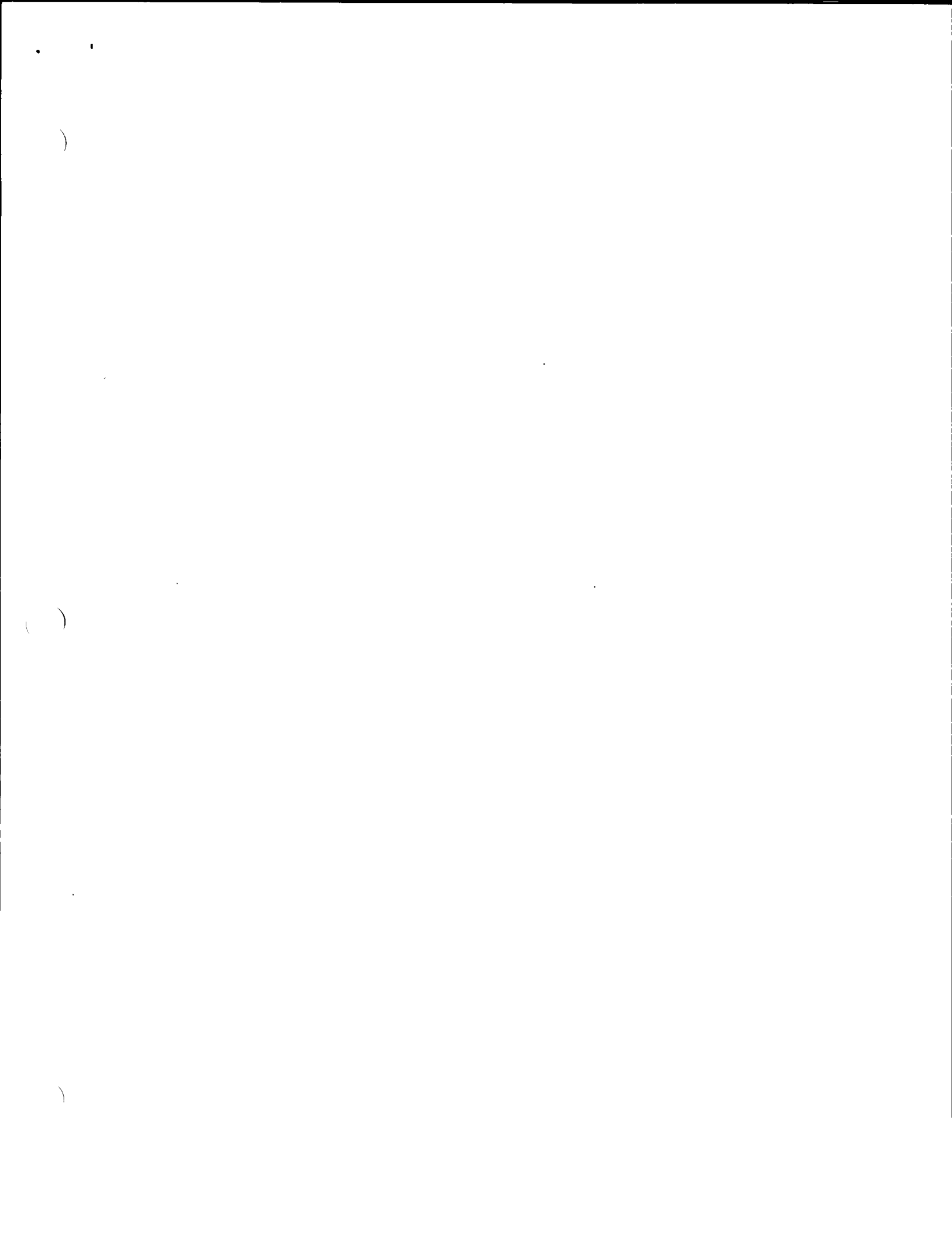
1 **Item 2)** Please refer to the email from Lindsay Barron dated November 4, 2013 in
2 response to the email from Mark Shults asking questions about the Company's
3 economic development rate dated November 3, 2013. The email from Ms. Barron does
4 not respond to any of Mr. Shults' questions. Please provide all correspondence and/or
5 other materials provided by Ms. Barron in response to those questions.

6

7 **Response)** Please see the email from Lindsay Barron to Mark Shults dated November 4,
8 2013 6:43 PM which was provided as a confidential attachment to KIUC 1-7. In that email,
9 Ms. Barron provided Mr. Schults with an outline of the proposed Big Rivers' Economic
10 Development Incentive rate in response to his questions. Please see the attachments to KIUC
11 1-7 and KIUC 2-1 for written communications between Big Rivers and the Nebraska entities
12 on this topic. Big Rivers also had several telephone conversations and in-person meetings
13 with the Nebraska entities during the negotiation process.

14

15 **Witness)** Lindsay N. Barron



BIG RIVERS ELECTRIC CORPORATION

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- 1 **Item 3) Refer to the Company's response to AG 1-13 and its statement that**
2 **"Utilizing a holistic approach, Big Rivers will review its financial position and metrics,**
3 **and seek the ability to put funds in the Economic Reserve as conditions allow."**
- 4 **a. Please further explain the Company's response. Identify the financial**
5 **position and metrics that Big Rivers will consider and describe how this**
6 **will affect its decision to seek authorization and/or the amount of funds**
7 **that it will seek to deposit in the Economic Reserve.**
- 8 **b. Please explain why the Company will not unequivocally agree that the**
9 **margins from sales pursuant to the NE contracts will be deposited into**
10 **the Economic Reserve for the benefit of member/customers.**
- 11 **c. Does the Company oppose a condition whereby all margins from sales**
12 **pursuant to the NE contracts shall be deposited into the Economic**
13 **Reserve for the benefit of member/customers? If so, why does it oppose**
14 **such a condition?**

15

16 **Response)**

- 17 **a. In utilizing a holistic approach to authorize the amount of funds that it will seek to**
18 **deposit in the Economic Reserve, Big Rivers will consider at a minimum the**

BIG RIVERS ELECTRIC CORPORATION

**BIG RIVERS ELECTRIC CORPORATION'S FILING OF WHOLESALE
CONTRACTS PURSUANT TO KRS 278.180 and 807 KAR 5:011 §13
CASE NO. 2014-00134**

**Response to the Kentucky Industrial Utility Customers, Inc.'s
Supplemental Request for Information
Dated July 30, 2014**

August 13, 2014

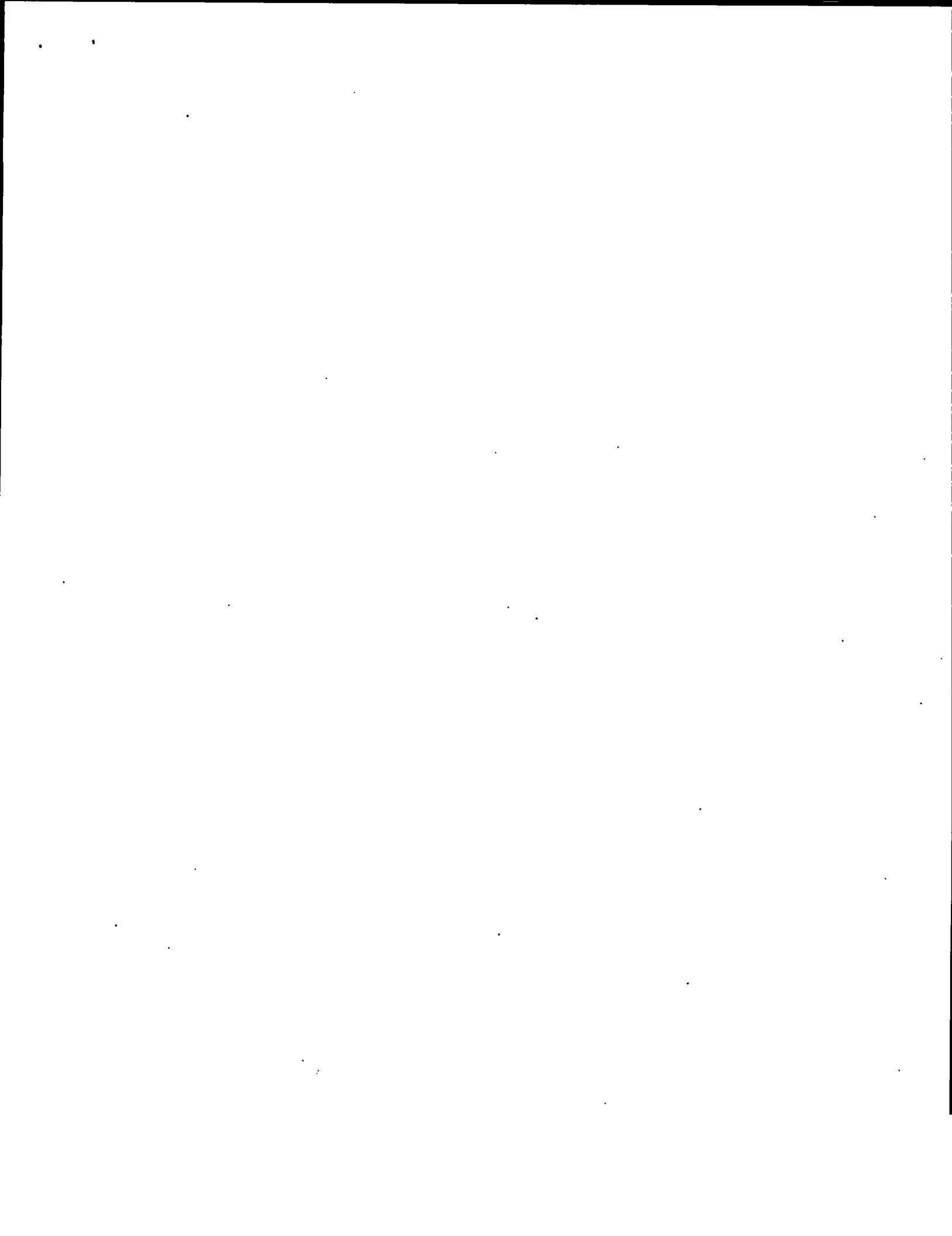
1 following financial metrics: TIER, cash balances, margins and debt service coverage
2 ratios.

3 b. As a member-owned cooperative, all revenues ultimately benefit the Members. There
4 could be circumstances where greater benefit for Big Rivers and its Members would
5 be derived by not depositing margins into the Economic Reserve.

6 c. Please see the response to Subpart a.

7

8 Witness) Lindsay N. Barron



BIG RIVERS ELECTRIC CORPORATION

**BIG RIVERS ELECTRIC CORPORATION'S FILING OF WHOLESALE
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CASE NO. 2014-00134**

**Response to the Kentucky Industrial Utility Customers, Inc.'s
Supplemental Request for Information
Dated August 13, 2014**

- 1 **Item 4) Refer to the ACES October 30, 2013 Valuation and Risk Assessment**
2 **Study provided in the Company's response to Staff 1-3 and the Company's financial**
3 **model cases corresponding to the ACES base case and four alternatives (sensitivities)**
4 **provided in response to AG 1-12.**
- 5 **a. Please indicate if the ACES study was provided to the Company's Board of**
6 **Directors. If not, please explain why it was not and who made the decision**
7 **not to provide a copy of this study.**
- 8 **b. Since it was produced eight months ago, has ACES updated its October 30,**
9 **2013 Valuation and Risk Assessment Study? If yes, please provide any such**
10 **update. If no, please explain why no update was performed.**
- 11 **c. Please produce all workpapers, exhibits, analyses or other documents that**
12 **were relied on by ACES to support its October 30, 2013 Study. If the**
13 **response to this question contains electronic data, then please provide it with**
14 **formulas intact.**
- 15 **d. Has Big Rivers continued to monitor and study the LMP differential between**
16 **its generation nodes and the NPPD CPNode? If yes, please provide copies of**
17 **such studies. If no, please explain why not.**

18
19 **Response)**

BIG RIVERS ELECTRIC CORPORATION

**BIG RIVERS ELECTRIC CORPORATION'S FILING OF WHOLESALE
CONTRACTS PURSUANT TO KRS 278.180 and 807 KAR 5:011 §13
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**Response to the Kentucky Industrial Utility Customers, Inc.'s
Supplemental Request for Information
Dated August 13, 2014**

- 1 a. The ACES study was provided to Big Rivers' Board of Directors.
- 2 b. No. The ACES study referenced has not been updated since it was originally
- 3 produced. The production cost models and financial models provided in response to
- 4 AG 1-12 were performed as a detailed, follow up analysis to the original ACES study
- 5 referenced.
- 6 c. Please see the confidential attachment provided in response to AG 2-1.
- 7 d. Yes. Big Rivers monitors the differential. Please see attached file provided under
- 8 petition for confidential treatment.

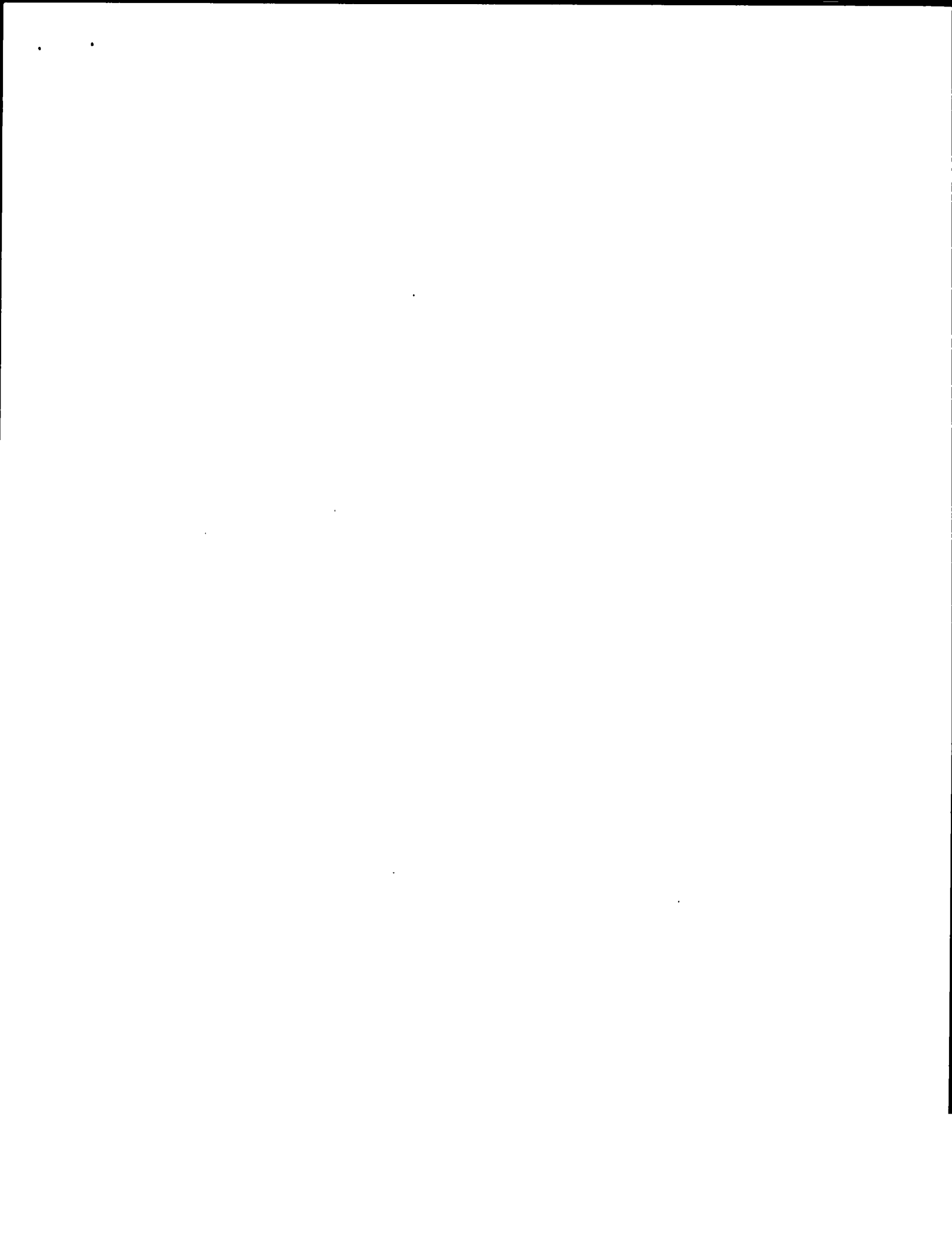
9
10

11 Witness) Lindsay N. Barron

Case No. 2014-00134

KIUC 2-4(d)

Attachment filed under petition for confidential treatment



BIG RIVERS ELECTRIC CORPORATION

**BIG RIVERS ELECTRIC CORPORATION'S FILING OF WHOLESALE
CONTRACTS PURSUANT TO KRS 278.180 and 807 KAR 5:011 §13
CASE NO. 2014-00134**

**Response to the Kentucky Industrial Utility Customers, Inc.'s
Supplemental Request for Information
Dated August 13, 2014**

1 **Item 5) How is the LMP basis differential between Big Rivers' generation nodes**
2 **and the NPPD CP Node calculated? For example, are all hours during the year 2016**
3 **included in the calculation?**

4

5 **Response)** [REDACTED]

6 [REDACTED]

7

8 **Witness) Lindsay N. Barron**

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BIG RIVERS ELECTRIC CORPORATION

**BIG RIVERS ELECTRIC CORPORATION'S FILING OF WHOLESALE
CONTRACTS PURSUANT TO KRS 278.180 and 807 KAR 5:011 §13
CASE NO. 2014-00134**

**Response to the Kentucky Industrial Utility Customers, Inc.'s
Supplemental Request for Information
Dated August 13, 2014**

1 **Item 6) Refer to the Company's response to KIUC 1-9, which sought a copy of all**
2 **reports and presentations regarding the NE contracts to the Company's Board of**
3 **Directors. The Company provided a copy of a presentation and an indicative term**
4 **sheet.**

5 **a. Please confirm that no other materials regarding the NE contracts were**
6 **provided to the Company's Board of Directors or to the Boards of the**
7 **member cooperatives. If other materials were provided, then please provide**
8 **a copy of all of those materials.**

9 **b. Please provide a copy of all Board minutes and/or resolutions regarding the**
10 **NE contracts.**

11

12 **Response)**

13 **a. Please see Big Rivers' response to KIUC 2-4a and the confidential attachment hereto.**
14 **Information in the attachment unrelated to the Nebraska contracts has been redacted.**

15 **b. Please see the Board resolutions attached hereto.**

16

17 **Witness) Lindsay N. Barron**

Case No. 2014-00134

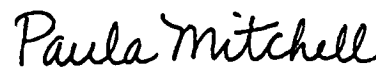
KIUC 2-6(a)

Attachment filed under petition for confidential treatment

**EXCERPT FROM THE MINUTES OF REGULAR MEETING
OF THE BOARD OF DIRECTORS
OF BIG RIVERS ELECTRIC CORPORATION
HELD IN HENDERSON, KENTUCKY, ON
NOVEMBER 15, 2013**

After a detailed review of the load proposal and term sheet at the Thursday night work session by Lindsay Barron, Director Denton moved that management be authorized to proceed with final negotiations and power requirements contract development with Northeast Nebraska Public Power District. The motion was seconded and adopted by unanimous vote.

I, Paula Mitchell, Executive Secretary of the Board of Directors of Big Rivers Electric Corporation, hereby certify that the above is a true and correct excerpt from the minutes of the Regular Meeting of the Board of Directors of said Corporation held on 11-15-13.



**EXCERPT FROM THE MINUTES OF REGULAR MEETING
OF THE BOARD OF DIRECTORS
OF BIG RIVERS ELECTRIC CORPORATION
HELD IN HENDERSON, KENTUCKY, ON
DECEMBER 20, 2013**

After an explanation by Lindsay Barron, and discussion by the Board, Director Butler moved that management be authorized to execute a contract for 110 MW of capacity and energy starting in 2017 with Northeast Nebraska Public Power District substantially on the terms presented, and to seek all necessary regulatory and other approvals required to execute that contract. The motion was seconded and adopted by unanimous vote.

I, Paula Mitchell, Executive Secretary of the Board of Directors of Big Rivers Electric Corporation, hereby certify that the above is a true and correct excerpt from the minutes of the Regular Meeting of the Board of Directors of said Corporation held on 12-20-13.

Paula Mitchell

**EXCERPT FROM THE MINUTES OF REGULAR MEETING
OF THE BOARD OF DIRECTORS
OF BIG RIVERS ELECTRIC CORPORATION
HELD IN HENDERSON, KENTUCKY, ON
MAY 16, 2014**

After questions posed by the Board were satisfactorily answered, Director Denton moved that the following resolution be approved:

WHEREAS, the Corporation is party to three separate Market Based Rate Partial and Full Requirements Agreements dated as of December 20, 2013, by and between Big Rivers and Northeast Nebraska Public Power District, the City of Wayne, Nebraska, and the City of Wakefield, Nebraska, respectively (the "Agreements"); and

WHEREAS, the parties to the Agreements desire to amend the Agreements to revise the terms for assignment of the Agreements to conform to the requirements of the Rural Utilities Service,

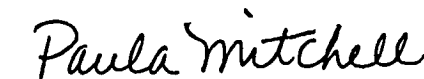
NOW, THEREFORE, BE IT RESOLVED, that the Corporation is authorized, through its management and without further action by the Board of Directors, to negotiate, agree upon and enter into "Amendment No. 1 to Market Based Rate Partial and Full Requirements Agreement" ("Amendment") with respect to each of the Agreements, substantially as presented to the Board of Directors.

BE IT FURTHER RESOLVED, that the Board of Directors of the Corporation authorizes its President/Chief Executive Officer, the Chief Operating Officer and the Vice President/Chief Financial Officer, and any other employee of the Corporation authorized in writing by any of them, to execute, attest and deliver on behalf of the Corporation all necessary papers, documents, and applications for approvals or consents related to the foregoing.

BE IT FURTHER RESOLVED, that the Agreements, each as amended by the Amendment, are hereby ratified and approved in all respects.

The motion was seconded and adopted by unanimous vote.

I, Paula Mitchell, Executive Secretary of the Board of Directors of Big Rivers Electric Corporation, hereby certify that the above is a true and correct excerpt from the minutes of the Regular Meeting of the Board of Directors of said Corporation held on 5-16-14.


Paula Mitchell

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BIG RIVERS ELECTRIC CORPORATION

**BIG RIVERS ELECTRIC CORPORATION'S FILING OF WHOLESALE
CONTRACTS PURSUANT TO KRS 278.180 and 807 KAR 5:011 §13
CASE NO. 2014-00134**

**Response to the Kentucky Industrial Utility Customers, Inc.'s
Supplemental Request for Information
Dated July 30, 2014**

August 13, 2014

1 **Item 7) Please refer to Attachment 1 to KIUC 1-2(e). Please provide the version**
2 **of this on-peak, off-peak and ATC market price energy forecast that existed as of the**
3 **time Big Rivers entered into the NE contracts.**

4

5 **Response) Please see the confidential attachment displaying the market price energy**
6 **forecast at the time Big Rivers entered into the NE contracts.**

7

8 **Witness) Lindsay N. Barron**

Case No. 2014-00134

KIUC 2-7

Attachment filed under petition for confidential treatment

1 COMMONWEALTH OF KENTUCKY
2 BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

3
4 In the Matter of:

5
6 SPECIAL CONTRACT FILING)
7 BY BIG RIVERS ELECTRIC)
8 CORPORATION PURSUANT TO)
9 807 KAR 5:011§13)

CASE NO. 2014-00134

AUG 13 2014

PUBLIC SERVICE
COMMISSION

10
11
12 **PETITION OF BIG RIVERS ELECTRIC CORPORATION FOR CONFIDENTIAL**
13 **PROTECTION**
14

15 1. Big Rivers Electric Corporation (“Big Rivers”) hereby petitions the Kentucky
16 Public Service Commission (“Commission”), pursuant to 807 KAR 5:001 Section 13, KRS
17 61.878(1)(c) and KRS 278.160(3), to grant confidential protection to certain information Big
18 Rivers is filing with its responses to the Commission Staff’s (“PSC”), the Kentucky Office of the
19 Attorney General’s (“AG”), and Kentucky Industrial Utility Customers, Inc.’s (“KIUC”)
20 Supplemental Requests for Information. The information for which Big Rivers seeks
21 confidential treatment is hereinafter referred to as the “Confidential Information.”

22 2. The Confidential Information includes:

- 23 i. portions of the responses and/or attachments for the responses to Items 1, 2, and 3
24 of the Commission Staff’s Supplemental Request for Information (“PSC 2-1,”
25 “PSC 2-2,” and “PSC 2-3,” respectively);
26 ii. portions of the responses and/or attachments for the responses to Items 1, 2, 3, 4,
27 and 5 of the AG’s Supplemental Request for Information (“AG 2-1,” “AG 2-2,”
28 “AG 2-3,” “AG 2-4,” and “AG 2-5,” respectively); and

1 iii. portions of the responses and/or attachments for the responses to Items 1, 4, 5, 6,
2 and 7 of KIUC’s Supplemental Request for Information (“KIUC 2-1,” “KIUC 2-
3 4,” “KIUC 2-5,” “KIUC 2-6,” and “KIUC 2-7,” respectively).

4 3. One (1) copy of the paper attachments with the confidential information
5 underscored, highlighted with transparent ink, printed on yellow paper, or otherwise marked
6 “CONFIDENTIAL,” is being filed with this petition in a separate sealed envelope marked
7 “CONFIDENTIAL.” A copy of those pages, with the Confidential Information redacted, is
8 being filed with the original and each of the ten (10) copies of the responses to the information
9 requests filed with this petition. See 807 KAR 5:001 Sections 13(2)(a)(3), 13(2)(b).

10 4. One (1) copy of the electronic attachments containing Confidential Information is
11 contained in the confidential electronic files that accompany this petition. In some instances, the
12 Confidential Information is inextricably intertwined with non-confidential information in the
13 electronic spreadsheet attachments in response to certain requests. Big Rivers cannot redact only
14 the Confidential Information from the electronic spreadsheet attachments without making other
15 cells in the spreadsheets unusable or breaking the formulas contained therein, and so, the entirety
16 of those attachments must be made confidential. Likewise, there are other instances where the
17 pervasive nature of the confidential information would make public versions ineffectual and
18 unhelpful to the Commission. As such, the entirety of these confidential files have been redacted
19 from the original and each of the ten (10) copies of the responses to the information requests
20 filed with this petition. See 807 KAR 5:001 Sections 13(2)(a)(3), 13(2)(b). A motion for
21 deviation from the requirement that Big Rivers file paper copies of those electronic attachments
22 accompanies this petition.

1 5. A copy of this petition with the Confidential Information redacted has been served
2 on all parties to this proceeding. See 807 KAR 5:001 Section 13(2)(c). A copy of the
3 Confidential Information has been served on all parties that have signed a confidentiality
4 agreement.

5 6. The Confidential Information is not publicly available, is not disseminated within
6 Big Rivers except to those employees and professionals with a legitimate business need to know
7 and act upon the information, and is not disseminated to others without a legitimate need to
8 know and act upon the information.

9 7. If and to the extent the Confidential Information becomes generally available to
10 the public, whether through filings required by other agencies or otherwise, Big Rivers will
11 notify the Commission in writing. See 807 KAR 5:001 Section 13(10)(b).

12 8. As discussed below, the Confidential Information is being submitted
13 confidentially pursuant to 807 KAR 5:001 Section 13(9)(a) and/or is entitled to confidential
14 protection based upon KRS 61.878(1)(c)(1). 807 KAR 5:001 Section 13(2)(a)(1).

15 **I. Information Submitted Pursuant to 807 KAR 5:001 Section 13(9)(a)**

16 9. 807 KAR 5:001 Section 13(9)(a) provides:

17 A person who files any paper that contains material that has previously been
18 deemed confidential or for which a request or motion for confidential treatment is
19 pending shall submit one (1) copy of the paper with the adjudged or alleged
20 confidential material underscored or highlighted, and ten (10) copies of the paper
21 with those portions redacted; and

- 22
23 1. If the confidential status of the material has been determined
24 previously, a written notice identifying the person who originally
25 submitted the material, the date on which a determination on the
26 materials confidentiality was made and, if applicable, the case
27 number in which the determination was made; or
28

1 2. If a request for confidential treatment of the material is pending,
2 a written notice identifying the person who made the request and
3 the date on which the request was submitted.
4

5 10. The Confidential Information contained in the questions for AG 2-1, AG 2-2, AG
6 2-3, AG 2-4, and AG 2-5 consists of material for which Big Rivers sought confidential
7 protection in its petitions for confidential treatment filed April 4, 2014, and July 16, 2014, which
8 petitions are pending.

9 **II. Information Protected By KRS 61.878(1)(c)(1)**

10 **A. Big Rivers' Faces Actual Competition**

11 11. KRS 61.878(1)(c)(1) protects “records confidentially disclosed to an agency or
12 required by an agency to be disclosed to it, generally recognized as confidential or proprietary,
13 which if openly disclosed would permit an unfair commercial advantage to competitors of the
14 entity that disclosed the records.”

15 12. Big Rivers competes in the wholesale power market to sell energy excess to its
16 Members' needs. Big Rivers' ability to successfully compete in the wholesale power market is
17 dependent upon a combination of its ability to get the maximum price for the power sold, the
18 best terms available, and keeping the cost of producing that power as low as possible.
19 Fundamentally, if Big Rivers' cost of producing a kilowatt hour or its business risk increases, its
20 ability to sell that kilowatt hour in competition with other utilities is adversely affected.

21 13. Big Rivers also competes for reasonably-priced credit in the credit markets, and
22 its ability to compete is directly impacted by its financial results and business risks assumed.
23 Any event that adversely affects Big Rivers' margins will adversely affect its financial results
24 and potentially impact the price it pays for credit. As was described in the proceeding before this

1 Commission in the Big Rivers unwind transaction case, Big Rivers expects to be in the credit
2 markets on a regular basis in the future.¹

3 14. Accordingly, Big Rivers has competitors in both the power and capital markets,
4 and its Confidential Information should be protected to prevent the imposition of an unfair
5 competitive advantage.

6 **B. The Confidential Information is Generally Recognized as Confidential or**
7 **Proprietary**

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

11 16. The Confidential Information contained in the responses and/or attachments to
12 PSC 2-1, PSC 2-2, PSC 2-3, AG 2-1, AG 2-2, AG 2-3, AG 2-4, KIUC 2-1, KIUC 2-5, and KIUC
13 2-6 reveals or explains confidential terms of three purchase power agreements (“PPAs”) that Big
14 Rivers has entered into with municipal electric systems located in Nebraska. KRS 278.160(3)
15 specifically recognizes that terms of a special contract are not required to be publicly disclosed if
16 such terms are entitled to protection under KRS 61.878(1)(c)(1). Big Rivers is advised by
17 counsel for the counterparties the portions of the PPAs for which Big Rivers seeks confidential
18 treatment are not subject to disclosure under the applicable open records laws of the State of
19 Nebraska. Additionally, the Commission has previously granted confidential treatment to
20 similar information. *See, e.g., In the Matter of: Application of Big Rivers Electric Corporation*

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 *for a General Adjustment in Rates*, Order, P.S.C. Case No. 2012-00535 (April 25, 2013)
2 (granting confidential treatment to details of sensitive commercial negotiations).

3 17. The Confidential Information contained in the responses and/or attachments to
4 AG 2-1, KIUC 2-1, and KIUC 2-6 consists of confidential correspondence, confidential
5 proposals, and confidential analyses, projections of Big Rivers' revenues and expenses, and
6 projections of other entities' revenues and expenses provided confidentially to Big Rivers, which
7 are based on the confidential terms of the PPAs and the confidential negotiations between the
8 parties. The Commission has previously granted confidential treatment to similar information.
9 *See, e.g., In the Matter of: Application of Big Rivers Electric Corporation for a General*
10 *Adjustment in Rates*, Order, P.S.C. Case No. 2012-00535 (April 25, 2013) (granting confidential
11 treatment to models provided by Big Rivers' consultants and to details of sensitive commercial
12 negotiations).

13 18. The Confidential Information contained in the responses and/or attachments to
14 AG 2-1, KIUC 2-4, and KIUC 2-7 contain projected off-system sales prices. Public disclosure of
15 the Confidential Information would provide insight into the prices at which Big Rivers is willing
16 to buy or sell power. The information is also indicative of the market conditions Big Rivers
17 expects to encounter and its ability to compete with competitors. The Commission has
18 previously granted confidential treatment to similar information. *See, e.g., In the Matter of:*
19 *Application of Big Rivers Electric Corporation for a General Adjustment in Rates*, Order, P.S.C.
20 Case No. 2012-00535 (April 25, 2013); *In the Matter of: Application of Big Rivers Electric*
21 *Corporation for a General Adjustment in Rates*, Order, P.S.C. Case No. 2012-00535 (August 14,
22 2013); *In the Matter of: Application of Big Rivers Electric Corporation for Approval of its 2012*
23 *Environmental Compliance Plan, for Approval of its Amended Environmental Cost Recovery*

1 *Surcharge Tariff, for Certificates of Public Convenience and Necessity, and for Authority to*
2 *Establish a Regulatory Account*, Letter, P.S.C. Case No. 2012-00063 (August 15, 2012).

3 19. As such, the Confidential Information is generally recognized as confidential and
4 proprietary.

5 **C. Disclosure of the Confidential Information Would Permit an Unfair Commercial**
6 **Advantage to Big Rivers' Competitors**

7 20. Disclosure of the Confidential Information would permit an unfair commercial
8 advantage to Big Rivers' competitors. As discussed above, Big Rivers faces actual competition
9 in the wholesale power market and in the credit market. It is likely that Big Rivers would suffer
10 competitive injury if the Confidential Information was publicly disclosed.

11 21. In PSC Case No. 2003-00054, the Commission granted confidential protection for
12 bids submitted to Union Light Heat & Power ("ULH&P"). ULH&P's argued, and the
13 Commission implicitly accepted, that the bidding contractors would not want their bid
14 information publicly disclosed, and that disclosure would reduce the contractor pool available to
15 ULH&P, which would drive up ULH&P's costs, hurting its ability to compete with other gas
16 suppliers. Order dated August 4, 2003, in *In the Matter of: Application of the Union Light, Heat*
17 *and Power Company for Confidential Treatment*, PSC Case No. 2003-00054. Similarly, in *Hoy*
18 *v. Kentucky Indus. Revitalization Authority*, the Kentucky Supreme Court found that without
19 protection for confidential information provided to a public agency, "companies would be
20 reluctant to apply for investment tax credits for fear the confidentiality of financial information
21 would be compromised. *Hoy v. Kentucky Indus. Revitalization Authority*, 907 S.W.2d 766, 769
22 (Ky. 1995).

1 22. In Big Rivers' case, Big Rivers is currently in negotiations with potential
2 counterparties for other PPAs and expects to engage in negotiations with other counterparties in
3 the future. If confidential treatment of the confidential terms, discussions, analyses, and
4 negotiations related to the PPAs is denied, potential counterparties would know that such
5 information related to them could be publicly disclosed, which could reveal information to their
6 competitors about their competitiveness. Because many companies would be reluctant to have
7 such information disclosed, public disclosure of the Confidential Information would likely
8 reduce the pool of counterparties willing to negotiate with Big Rivers, reducing Big Rivers'
9 ability to sell power and impairing its ability to compete in the wholesale power and credit
10 markets.

11 23. Additionally, in PSC Case No. 2003-00054, the Commission granted confidential
12 protection to bids submitted to ULH&P. In addition to the other arguments discussed above,
13 ULH&P argued, and the Commission implicitly accepted, that if the bids it received were
14 publicly disclosed, contractors on future work could use the bids as a benchmark, which would
15 likely lead to the submission of higher bids. Order dated August 4, 2003, in *In the Matter of:*
16 *Application of the Union Light, Heat and Power Company for Confidential Treatment*, PSC Case
17 No. 2003-00054. The Commission also implicitly accepted ULH&P's further argument that the
18 higher bids would lessen ULH&P's ability to compete with other gas suppliers. *Id.* Similarly,
19 public disclosure of the confidential terms, discussions, analyses, and negotiations related the
20 PPAs would allow potential counterparties to future PPAs with Big Rivers to use such
21 information as a benchmark for negotiations, leading to less favorable prices and terms for power
22 sales for Big Rivers and placing Big Rivers at an unfair competitive disadvantage in the
23 wholesale power and credit markets. Public disclosure of the Confidential Information will also

1 impair Big Rivers' ability to enter into future PPAs with other wholesale suppliers, who are
2 competitors to Big Rivers, and who will have detailed knowledge of the terms upon which Big
3 Rivers has previously entered into wholesale power sales agreements. These competitors would
4 then be able to tailor their bids or proposals, which will give them an unfair competitive
5 advantage in competing with Big Rivers to be the wholesale supplier in the PPAs. Thus, Big
6 Rivers' competitiveness will be adversely affected if other suppliers are given such an unfair
7 competitive advantage, or if limitations are imposed upon Big Rivers' ability to improve upon
8 terms, or tailor contract terms to make Big Rivers more competitive under circumstances that
9 vary from the circumstances under which Big Rivers was willing to agree to the terms of the
10 PPAs.

11 24. If the Confidential Information relating to projections of market power prices is
12 publicly disclosed, market participants would have insight into the prices at which Big Rivers is
13 willing to buy and sell power and could manipulate the bidding process, which would lead to
14 higher costs or lower revenues to Big Rivers and which would place it at an unfair competitive
15 disadvantage in the wholesale power market and credit markets.

16 25. Accordingly, the public disclosure of the information that Big Rivers seeks to
17 protect would provide Big Rivers' competitors with an unfair commercial advantage.

18 **III. Time Period**

19 26. Big Rivers requests that the Confidential Information contained in the attachments
20 to KIUC 2-4 and KIUC 2-7 remain confidential for a period of five (5) years from the date of
21 this petition, which should allow sufficient time for the projected data to become historical and
22 sufficiently outdated that it could not be used to determine similar confidential information at
23 that time or to competitively disadvantage Big Rivers.

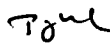
1 27. Big Rivers requests that the remainder of the Confidential Information remain
2 confidential indefinitely because so long as Big Rivers is in the wholesale power market, the
3 public disclosure of the confidential terms, discussions, analyses, and negotiations related to the
4 PPAs could be used to Big Rivers' competitive disadvantage for the reasons stated above. 807
5 KAR 5:001 Section 13(2)(a)(2).

6 **IV. Conclusion**

7 28. Based on the foregoing, the Confidential Information is entitled to confidential
8 protection. If the Commission disagrees that Big Rivers is entitled to confidential protection, due
9 process requires the Commission to hold an evidentiary hearing. *Utility Regulatory Com'n v.*
10 *Kentucky Water Service Co., Inc.*, 642 S.W.2d 591 (Ky. App. 1982).

11 WHEREFORE, Big Rivers respectfully requests that the Commission classify and protect
12 as confidential the Confidential Information.

13 On this the 12th day of August, 2014.

14
15 
16 _____
17 James M. Miller
18 Tyson Kamuf
19 SULLIVAN, MOUNTJOY, STAINBACK
20 & MILLER, P.S.C.
21 100 St. Ann Street
22 P. O. Box 727
23 Owensboro, Kentucky 42302-0727
24 Phone: (270) 926-4000
25 Facsimile: (270) 683-6694
26 jmiller@smsmlaw.com
27 tkamuf@smsmlaw.com


28 Counsel for Big Rivers Electric Corporation
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33

Certificate of Service

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I certify that a true and accurate copy of the foregoing was or will be served by regular mail, by Federal Express, or by hand delivery upon the persons listed on the accompanying service list, on or before the date the foregoing is filed with the Kentucky Public Service Commission.

On this the 12th day of August, 2014,



Counsel for Big Rivers Electric Corporation

RECEIVED

AUG 13 2014

PUBLIC SERVICE
COMMISSION

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

SPECIAL CONTRACT FILING)
BY BIG RIVERS ELECTRIC) CASE NO. 2014-00134
CORPORATION PURSUANT TO)
807 KAR 5:011§13)

MOTION FOR DEVIATION

Pursuant to 807 KAR 5:001 Section 22, Big Rivers Electric Corporation (“Big Rivers”) hereby moves the Kentucky Public Service Commission (the “Commission”) for deviation from: the requirement in 807 KAR 5:001 Section 13 that Big Rivers file a highlighted hard copy and ten redacted hard copies of material containing confidential information submitted pursuant to a petition for confidential treatment.


Big Rivers is filing with this motion its responses to the Supplemental Request for Information of the Office of the Attorney General (“AG”). Big Rivers has produced the attachment to Item 1 of the AG’s Supplemental Request for Information in electronic format on the CONFIDENTIAL electronic media filed with this motion. This file has been produced electronically for two reasons: (i) if printed, the file would be thousands of pages or more and would overburden the paper record in this matter; and (ii) the file was requested electronically in the corresponding data request.

Additionally, the pervasive nature of the confidential information makes the production of ten redacted, public versions of the document ineffectual and unhelpful to the Commission, the parties, and the public. Big Rivers has not produced a redacted, public version of the document that has been produced confidentially in electronic format.

1 WHEREFORE, Big Rivers respectfully requests that the Commission enter an order
2 granting Big Rivers a deviation from 807 KAR 5:001 Section 13 to: (i) produce the attachment
3 in electronic format; and (ii) omit PUBLIC, redacted copies of the CONFIDENTIAL attachment.

4 On this the 12th day of August, 2014.

5 Respectfully submitted,


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21 *Counsel for Big Rivers Electric Corporation*

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23
24 **Certificate of Service**

25
26 I certify that a true and accurate copy of the foregoing was or will be served by regular
27 mail, by Federal Express, or by hand delivery upon the persons listed on the accompanying
28 service list, on or before the date the foregoing is filed with the Kentucky Public Service
29 Commission.

30
31 On this the 12th day of August, 2014,

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33 
34 _____
35 Counsel for Big Rivers Electric Corporation
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