

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.
KENTUCKY POWER COMPANY FROM)	2015-00232
NOVEMBER 1, 2014 THROUGH APRIL 30, 2015)	

ORDER REGARDING MOTION FOR CONFIDENTIAL TREATMENT

On August 28, 2015, Kentucky Power Company ("Kentucky Power") moved the Commission, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878, for confidential treatment of certain information submitted to the Commission as part of this proceeding. Specifically, Kentucky Power seeks confidential treatment for a period of five years for identified portions of Attachment 1 of its response to the request for information, Item 20, in the Appendix to the Commission's August 14, 2015 Order ("the materials at issue"). Kentucky Power describes the confidential information as information provided by non-selected third parties in response to oral coal-supply solicitations issued by Kentucky Power on December 9, 2014. Kentucky Power states that the information at issue is not disclosed to persons outside of Kentucky Power, American Electric Power Company, Inc. ("AEP"), or AEP's affiliates. Kentucky Power states that within these organizations, the information is available only upon a confidential need-to-know basis to employees with a legitimate business interest in, and need to act upon, the information.

KRS 61.878(1)(c) exempts from public disclosure confidential information which if openly disclosed would permit an unfair commercial advantage to competitors of the

entity that disclosed the records. In support of its motion, Kentucky Power maintains that disclosure of the confidential information would adversely affect its ability to obtain competitive bids in future coal-supply solicitations to the detriment of Kentucky Power and its customers. Thus, Kentucky Power asserts that the disclosure of the confidential information would permit an unfair commercial advantage to its competitors.

Having carefully considered Kentucky Power's motion and the materials at issue, the Commission finds that:

1. The materials at issue constitute confidential information critical to Kentucky Power's effective execution of business decisions and strategy.

2. Disclosure of the materials at issue would have a reasonable likelihood of permitting an unfair commercial advantage to competitors of Kentucky Power.

3. Kentucky Power has met its burden of proof to show that the materials for which it seeks confidential treatment are exempted from public disclosure pursuant to KRS 61.878(1)(c) and 807 KAR 5:001, Section 13.

4. The materials for which Kentucky Power seeks confidential treatment should not be placed in the public record or be made available for public inspection for a period of five years, or until further Order of this Commission.

IT IS THEREFORE ORDERED that:

1. Kentucky Power's motion for Confidential Treatment of the identified portions of Attachment 1 of Kentucky Power's response to the request for information, Item 20, in the Appendix to the Commission's August 14, 2015 Order is granted.

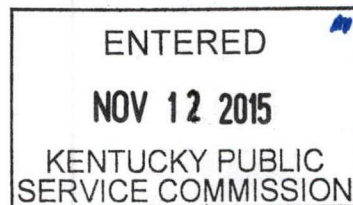
2. The materials afforded confidential treatment by this Order should not be placed in the public record or be made available for public inspection for a period of five years, or until further Order of this Commission.

3. Use in this proceeding of the materials at issue shall be in compliance with 807 KAR 5:001, Section 13(9).

4. Kentucky Power shall inform the Commission if the materials at issue become publicly available or no longer qualify for confidential treatment.

5. If a non-party to this proceeding requests to inspect materials granted confidential treatment by this Order and the period during which the materials have been granted confidential treatment has not run, Kentucky Power shall have 20 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 Kentucky Power is unable to make such demonstration, the requested materials shall be made available for inspection.

By the Commission



ATTEST:



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