

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF EAST KENTUCKY POWER	)	
COOPERATIVE, INC. FOR APPROVAL OF THE	)	
AMENDMENT AND EXTENSION OR	)	
REFINANCING OF AN UNSECURED REVOLVING	)	
CREDIT AGREEMENT IN AN AMOUNT UP TO	)	CASE NO.
\$800,000,000 OF WHICH UP TO \$100,000,000	)	2016-00116
MAY BE IN THE FORM OF AN UNSECURED	)	
RENEWABLE TERM LOAN AND \$200,000,000 OF	)	
WHICH WILL BE IN THE FORM OF A FUTURE	)	
INCREASE OPTION	)	

ORDER REGARDING REQUEST FOR CONFIDENTIAL TREATMENT

On March 9, 2016, East Kentucky Power Cooperative, Inc. ("EKPC"), pursuant to 807 KAR 5:001, Section 13, and KRS 61.878, moved that certain materials filed with the Commission be afforded confidential treatment and not be placed in the public record subject to public inspection. The Commission entered an Order on April 12, 2016, which granted confidential treatment for those materials. By letter dated March 31, 2016, EKPC further requests confidential treatment for materials provided in EKPC's responses to Commission Staff's First Request for Information ("Response").

EKPC's letter, which the Commission will treat as a motion, states that the information it is requesting to be held confidential is the same as, or similar to, the confidential information filed by EKPC on March 9, 2016, as part of its application in this matter. The information is more particularly described as proprietary loan terms and conditions identified in its Response. EKPC adopts and incorporates its prior motion for confidential treatment of March 9, 2016, in conjunction with the filing of its Response,

said prior motion requesting that the information remain confidential for a period of ten years.

Having carefully considered the motion and the materials at issue, the Commission finds that:

1. The materials for which EKPC seeks confidential treatment are records that are generally recognized as confidential or proprietary, and which if openly disclosed would permit an unfair commercial advantage; therefore, the materials meet the criteria for confidential treatment and are exempted from public disclosure pursuant to KRS 61.878(1)(c)(1) and 807 KAR 5:001, Section 13.

2. The materials should not be placed in the public record or made available for public inspection for a period of ten years from the date of this Order, or until further Order of this Commission.

IT IS THEREFORE ORDERED that:

1. EKPC's motion for confidential protection of its Response is granted.

2. The materials for which EKPC seeks confidential treatment shall not be placed in the public record or made available for public inspection for a period of ten years from the date of this Order, or until further Order of this Commission.

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

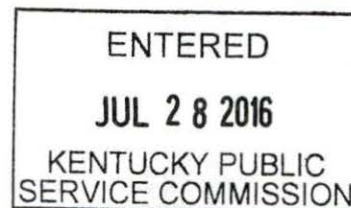
4. EKPC shall inform the Commission if the materials in question become publicly available or no longer qualify for confidential treatment.

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, then EKPC 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 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 requested materials available for inspection for 20 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



ATTEST:

  
Executive Director

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