Matthew G. Bevin Governor

Charles G. Snavely Secretary Energy and Environment Cabinet



Commonwealth of Kentucky Public Service Commission 211 Sower Blvd. P.O. Box 615 Frankfort, Kentucky 40602-0615 Telephone: (502) 564-3940 Fax: (502) 564-3460 psc.ky.gov

March 16, 2018

Sullivan, Mountjoy, Stainback & Miller Attention: Tyson Kamuf 100 St. Ann Street P.O. Box 727 Owensboro, Kentucky 42302-0727

Re: Big Rivers Electric Corporation Petition Requesting Confidential Treatment received 3/1/2017 PSC Reference: Admin. Case # 387

Dear Mr. Kamuf:

Pursuant to 807 KAR 5:001, Section 13(3), Big Rivers Electric Corporation ("Big Rivers"), by Petition for Confidential Treatment received March 1, 2017, requested confidential treatment of certain information filed with the Commission outside of a formal proceeding. 807 KAR 5:001, Section 13(3)(c), provides that the Commission's "executive director, as official custodian of the commission's records, shall determine if the material is within an exclusion established in KRS 61.878 and the time period for which the material should be considered as confidential and shall advise the requestor of his or her determination by letter." This letter constitutes my determination of your request.

The information you request the Commission treat as confidential is identified as being contained in Big Rivers' Response to the Commission's Data Request Items 11 and 14 as set out in Appendix G of Amended Order dated March 29, 2004, and more particularly described as capacity additions, and planned outage and related information.

Your justification for having the Commission handle this material as confidential is that the public disclosure of the information could result in an unfair commercial advantage to competitors.

Based on a review of the information and pursuant to KRS 61.878(1)(c)(1) and 807 KAR 5:001, Section 13, it has been determined that the information requested to be held confidential, if publicly disclosed, could present an unfair commercial advantage to competitors. Therefore, the information requested to be treated as confidential **meets**

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Michael J. Schmitt Chairman

> Robert Cicero Vice Chairman

Talina R. Mathews Commissioner Mr. Kamuf March 16, 2018 Page 2

the criteria for confidential protection and will be maintained as a nonpublic part of the Commission's file in this case until January 1, 2022, or until further orders of the Commission. The procedure for usage of confidential materials during formal proceedings may be found at Section 13(9) of 807 KAR 5:001.

If the information becomes publicly available or no longer warrants confidential treatment, Big Rivers is required by Section 13(10)(b) of 807 KAR 5:001 to inform the Commission so that the information may be placed in the public record.

Any questions regarding this letter should be directed to John E.B. Pinney, Acting General Counsel at (502) 782-2587.

Sincerely,

Quer R. Runson

Gwen R. Pinson Executive Director

kg

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