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

Michael J. Schmitt Chairman

> Robert Cicero Vice Chairman

Talina R. Mathews Commissioner

March 16, 2018

Stites & Harbison PLLC
Attention: Mark R. Overstreet
421 West Main Street
P.O. Box 634
Frankfort, Kentucky 40602-0634

Re: Kentucky Power Company

Petition Requesting Confidential Treatment received 4/30/2015

PSC Reference: Admin. Case # 387

Dear Mr. Overstreet:

Pursuant to 807 KAR 5:001, Section 13(3), Kentucky Power Company ("Ky Power"), by Petition for Confidential Treatment received April 30, 2015, 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 Ky Power's Response to the Commission's First Data Request, Item 9, and more particularly described as planned transmission capacity upgrades that have not been publicly announced.

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** 



Mr. Overstreet 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 for a five-year period of time from the date of your request, 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, Ky Power 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,

Gwen R. Pinson Executive Director

Shua R. Punsa

kg

Stanley K Conn Director of Power Production Owensboro Municipal Utilities 2070 Tamarack Road P.O. Box 806 Owensboro, KENTUCKY 42301 \*Honorable Allyson K Sturgeon Senior Corporate Attorney LG&E and KU Energy LLC 220 West Main Street Louisville, KENTUCKY 40202 \*James B Gainer
VP,Federal Energy Policy
Duke Energy
P.O. Box 1006
526 S. Church Street
Charlotte, NORTH CAROLINA 28201-1006

Mr. Robert L Madison 5407 Baywood Drive Louisville, KENTUCKY 40241-1318 \*Honorable Richard S Taylor Attorney at Law Capital Link Consultants 225 Capital Avenue Frankfort, KENTUCKY 40601 \*Honorable John H Conway Attorney at Law Brickfield, Burchette, Ritts & Stone, P.C. 1025 Thomas Jefferson Street, N.W. 8th Floor, West Tower Washington, DISTRICT OF COLUMBIA 20007

Honorable William H Jones, Jr. Attorney at Law VanAntwerp Attorneys, LLP 1544 Winchester Avenue, 5th Floor P. O. Box 1111 Ashland, KENTUCKY 41105-1111

\*Honorable Charles A Lile Senior Corporate Counsel East Kentucky Power Cooperative, Inc. P. O. Box 707 Winchester, KY 40392-0707 \*Honorable John J Finnigan, Jr.
Senior Counsel
The Union Light, Heat and Power Company
139 East Fourth Street
Cincinnati, OH 45202

Honorable Patrick D Pace Kamuf, Yewell & Pace 221 West Second Street Owensboro, KENTUCKY 42303 \*Honorable David F Boehm Attorney at Law Boehm, Kurtz & Lowry 36 East Seventh Street Suite 1510 Cincinnati, OHIO 45202 \*Honorable James M Miller Attorney at Law Sullivan, Mountjoy, Stainback & Miller, PSC 100 St. Ann Street P.O. Box 727 Owensboro, KENTUCKY 42302-0727

John Wolfram Manager, Regulatory Policy/Strategy Louisville Gas and Electric Company 220 W. Main Street P. O. Box 32010 Louisville, KY 40202 \*Honorable Dennis G Howard II Assistant Attorney General Office of the Attorney General Office of Rate 700 Capitol Avenue Suite 20 Frankfort, KENTUCKY 40601-8204 \*Honorable John N Hughes Attorney at Law 124 West Todd Street Frankfort, KENTUCKY 40601

Winfrey P Blackburn, Jr. Hertz Starks Building LLC 455 South Fourth St., Ste 230 Louisville, KENTUCKY 40202-2507 \*Errol K Wagner Director Regulatory Services Kentucky Power Company 855 Central Avenue, Suite 200 Ashland, KY 41101 \*Honorable Kevin F Duffy Attorney at Law American Electric Power Service Corporation 1 Riverside Plaza, 29th Floor Post Office Box 16631 Columbus, OHIO 43216

Albert Yockey
Vice President Government Relations
Big Rivers Electric Corporation
201 Third Street
P. O. Box 24
Henderson, KY 42420

\*Honorable Frank N King, Jr. Attorney at Law Dorsey, Gray, Norment & Hopgood 318 Second Street Henderson, KENTUCKY 42420 \*Honorable Linda S Portasik Senior Corporate Attorney Kentucky Utilities Company 220 W. Main Street P. O. Box 32010 Louisville, KY 40202 \*Michael H Core President and CEO Big Rivers Electric Corporation 201 Third Street P. O. Box 24 Henderson, KY 42420

\*Honorable Michael J Pahutski Attorney at Law Duke Energy Kentucky, Inc. 139 East Fourth Street Cincinnati, OH 45201

\*Honorable Mark R Overstreet Attorney at Law Stites & Harbison 421 West Main Street P. O. Box 634 Frankfort, KENTUCKY 40602-0634

\*Roy M Palk President/CEO East Kentucky Power Cooperative, Inc. P. O. Box 707 Winchester, KY 40392-0707

\*Honorable Tyson A Kamuf Attorney at Law Sullivan, Mountjoy, Stainback & Miller, PSC 100 St. Ann Street P.O. Box 727 Owensboro, KENTUCKY 42302-0727