Andy Beshear Governor

Rebecca W. Goodman Secretary Energy and Environment Cabinet



Commonwealth of Kentucky
Public Service Commission

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> Robert Cicero Vice Chairman

Talina R. Mathews Commissioner

March 10, 2020

Big Rivers Electric Corporation Attention: Tyson Kamuf 201 Third Street P.O. Box 24 Henderson, Kentucky 42419-0024

Re:

Big Rivers Electric Corporation

Petition Requesting Confidential Treatment received 2/28/20

PSC Reference: Admin. Case # 387

Dear Mr. Kamuf:

Pursuant to 807 KAR 5:001, Section 13(3), Big Rivers Electric Corporation ("BREC"), by Petition for Confidential Treatment received February 28, 2020, 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 BREC's Responses to the Commission's Order dated October 7, 2005, Data Request Items 8, 11, 12, and attachment to 14 of the supplemental information to BREC's annual Financial and Statistical Report, and more particularly described as planned scheduled outages from 2020 through 2024 and planned transmission system additions from 2020 to 2029.

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



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confidential, if publicly disclosed, could present an unfair commercial advantage to competitors. Therefore, the information requested to be treated as confidential **meets the criteria for confidential protection** and will be maintained as a nonpublic part of the Commission's file in this case until January 1, 2026, 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, BREC 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,

Kent A. Chandler Executive Director

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