Steven L. Beshear Governor

Leonard K. Peters 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

July 6, 2012

David L. Armstrong Chairman

James W. Gardner Vice Chairman

Linda K. Breathitt Commissioner

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

Re: Kentucky Power Company Confidential Materials received 5/1/12 PSC Reference – Case No. 2011-00401

Dear Mr. Overstreet:

The Public Service Commission has received the Petition for Confidential Treatment you filed on May 1, 2012 on behalf of Kentucky Power Company ("Ky Power") to protect certain information filed with the Commission as confidential pursuant to Section 7 of 807 KAR 5:001 and KRS 61.878. The information you seek to have treated as confidential is identified as being contained in Ky Power's Responses to Sierra Club's Data Request Nos. 1-3, 1-5, 1-47, 2-34(a), 2-35(b); Commission's Data Request No. 3-1; and KIUC Data Request Nos. 2-2 and 2-6. The information is described as the paper version of electronic materials for which Ky Power has previously requested confidential treatment on 1-27-12, 2-7-12, 2-16-12, 2-20-12, and 3-28-12, and incorporates the previous requests by reference herein.

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 and 807 KAR 5:001, Section 7, the Commission has determined that the information requested to be held confidential is of a proprietary nature, which if publicly disclosed would permit an unfair commercial advantage to Kentucky Power's 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. The procedure for usage of confidential materials during formal proceedings may be found at Section 7(8) of 807 KAR 5:001.



Mr. Overstreet July 6, 2012 Page 2

If the information becomes publicly available or no longer warrants confidential treatment, Kentucky Power Company is required by Section 8(9)(a) of 807 KAR 5:001 to inform the Commission so that the information may be placed in the public record.

Sihrbra *i*en ecutive Director

kg/

cc: Parties of Record