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

April 11, 2013

David L. Armstrong Chairman

James W. Gardner Vice Chairman

Linda K. Breathitt Commissioner

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

Re: Kentucky Power Company Petition for Confidential Treatment received 5/11/12 PSC Reference: Case No. 2011-00401

Dear Mr. Overstreet:

The Public Service Commission has received the Petition for Confidential Treatment you filed on May 11, 2012 and your clarification letter filed May 17, 2012 incorporating your January 27, 2012 Petition by reference, on behalf of Kentucky Power Company ("Ky Power") to protect certain information filed with the Commission as confidential pursuant to Section 13 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 Post Hearing Brief relating to testimony during the confidential sessions of the Commission hearings held April 30, 2012 through May 2, 2012, and incorporates its January 27, 2012 filing by reference.

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 13, 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 Ky Power's competitors. Therefore, the information requested to be treated as confidential **meets the criteria for confidential protection** and will be removed from the public record and maintained as a nonpublic part of the Commission's

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file in this case. 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, Kentucky Power Company 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.

Sincerely Derbuen ecutive Director

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