

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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THE APPLICATION OF EAST KENTUCKY)
POWER COOPERATIVE, INC. FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY, AND A SITE) CASE NO. 2005- 00053
COMPATIBILITY CERTIFICATE, FOR THE)
CONSTRUCTION OF A 278 MW (NOMINAL))
CIRCULATING FLUIDIZED BED COAL)
FIRED UNIT AND FIVE 90 MW (NOMINAL))
COMBUSTION TURBINES IN CLARK)
COUNTY, KENTUCKY)

**PETITION FOR CONFIDENTIAL
TREATMENT OF INFORMATION**

Comes East Kentucky Power Cooperative, Inc., hereinafter referred to as "EKPC", and petitions the Public Service Commission, hereinafter referred to as the "Commission", pursuant to 807 KAR 5:001 Section 7 and KRS §61.878 and related statutes, for confidential treatment of certain designated information contained in Exhibit 6 to the Application filed in this case. As grounds for this Petition, EKPC states as follows:

1. 807 KAR 5:001 Section 7 authorizes confidential treatment of information submitted to the Commission based on grounds provided in KRS §61.870 et seq. EKPC asserts that the information identified in Exhibit 6 to the Application in this case constitutes records generally recognized as proprietary and confidential which, if made public, would permit an unfair commercial advantage to competitors of EKPC, as more

fully explained hereinbelow. As such, this information should be granted confidential treatment pursuant to 801 KAR 5:001 Section 7 and KRS §61.878 (1)(c)(1).

2. The information designated as confidential in Exhibit 6 to the Application in this case, relates to the five-year annual cost estimates for the new peaking and baseload units. If competitors of EKPC in the bulk power market obtain this annual cost information, they will know EKPC's cost of this power and could use this information to underbid EKPC in any attempts to market surplus power. Knowledge of such information would also give potential purchasers of this power an unfair advantage in any negotiations on the price for the resale of the surplus power. EKPC competitors would thereby gain an unfair advantage, which would have the detrimental effect on EKPC and its member systems of diminishing the potential revenues from the resale of this surplus power.

3. EKPC also believes that all of the identified confidential information is protected from public disclosure pursuant to KRS §61.878 (1)(c)(2)(c) as confidential and proprietary records disclosed to the Commission in conjunction with its regulation of commercial enterprise, apart from any unfair commercial advantage public disclosure would provide to EKPC competitors.

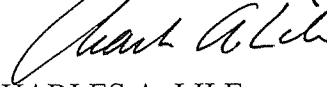
4. All of the identified confidential information is treated as confidential and proprietary by EKPC. This information is not known outside EKPC, and it is distributed within EKPC only to those with a need to know or use it for EKPC business purposes.

5. A set of the pages from Application Exhibit 6, with confidential information highlighted or otherwise indicated, is attached hereto. Ten copies of that Application, with confidential information redacted, are also enclosed.

WHEREFORE, Applicant respectfully requests the Commission to grant confidential treatment to the identified information and deny public disclosure of the information pursuant to 807 KAR 5:001 Section 7.

Respectfully submitted,

DALE W. HENLEY



CHARLES A. LILE

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CERTIFICATE OF SERVICE

This is to certify that an original and ten copies of the foregoing Petition for Confidential Treatment of Information in the above-referenced case were delivered to Elizabeth O'Donnell, Executive Director, Public Service Commission, 211 Sower Boulevard, Frankfort, Kentucky 40601 on this 31st day of January, 2005.



CHARLES A. LILE

(Smith1-pet-confid)