



EAST KENTUCKY POWER COOPERATIVE

March 31, 2005

HAND DELIVERED

Ms. Elizabeth O'Donnell
Executive Director
Public Service Commission
211 Sower Boulevard
Frankfort, KY 40602

RECEIVED

APR 1 2005

PUBLIC SERVICE
COMMISSION

Re: PSC Case No. 2005-00053

Dear Ms. O'Donnell:

Please find enclosed for filing with the Commission in the above-referenced case, an original and ten copies of the Petition for Confidential Treatment of Information regarding the responses of East Kentucky Power Cooperative, Inc., ("EKPC") to the information requests contained in the Commission Staff's First Data Request in this case, dated March 18, 2005. Included with said Petition is a confidential set of all pages in the responses which contain confidential information, along with 10 redacted copies of such responses.

Very truly yours,

A handwritten signature in cursive script that reads "Charles A. Lile".

Charles A. Lile
Senior Corporate Counsel

Enclosures

Cc: Service List.

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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APR 1 2005

PUBLIC SERVICE
COMMISSION

In the Matter of:

**THE APPLICATION OF EAST KENTUCKY POWER)
COOPERATIVE, INC. FOR A CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY, AND A)
SITE COMPATIBILITY CERTIFICATE, FOR THE) CASE NO. 2005-00053
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 now the Petitioner, East Kentucky Power Cooperative, Inc. (“EKPC”) and, pursuant to 807 KAR 5:001 Section 7 and KRS §61.870, requests confidential treatment of the designated information in the responses and attached spreadsheets, schedules and support information, which are hereby filed as directed by the First Data Request of the Kentucky Public Service Commission (the “Commission”) in this case dated March 18, 2005. 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 the abovementioned responses, spreadsheets, schedules and support information filed in this case are 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 designated information consists of detailed calculations and other information concerning the evaluation of proposals for baseload and peaking capacity received in response to EKPC's Request for Proposals ("RFP") 2004-01. Disclosure of this information could provide useful pricing information to other utilities, power marketers and other entities which compete with EKPC in the bulk power market, which could put EKPC at an unfair disadvantage in efforts to market surplus power. Furthermore, the disclosure of details of said proposals to utilities, power marketers and project developers which would be potential bidders in future EKPC RFPs could lead to manipulation of those future proposals, resulting in higher costs for future capacity and related competitive disadvantages for EKPC. The Commission, on March 18, 2005, granted confidentiality protection to similar information which was filed by EKPC in PSC Case No. 2004-00423 on March 7, 2005 and should grant the same protection to this evaluation information.

3. EKPC has protected the confidentiality of the subject evaluation information, which contains information known only by EKPC and its consultant, EnerVision, Inc., and has restricted access to this information to only EnerVision representatives and EKPC employees with a need to use it for the purposes of this case. One unredacted copy of the confidential pages of the subject responses, along with 10 redacted copies of the responses, are included with the filing of this Petition, pursuant to 807 KAR 5:001 Section 7.

4. The subject information is entitled to confidential treatment pursuant to 807 KAR 5:001 Section 7 and KRS §61.878(1)(c)(1) as information generally recognized as confidential and proprietary which would permit an unfair commercial advantage to competitors of EKPC in the surplus power

market if disclosed, as discussed hereinabove. The information is also entitled to confidential treatment pursuant to KRS §61.878(1)(c)2(c) as confidential information maintained in conjunction with the regulation of a commercial enterprise and disclosed to an agency on a confidential basis.

WHEREFORE, EKPC respectfully requests the Commission to grant confidential treatment to the subject information and deny public disclosure of said information.

Respectfully submitted,

DALE W. HENLEY



CHARLES A. LILE
P. O. BOX 707
WINCHESTER, KY 40392-0707
(859) 744-4812

CERTIFICATE OF SERVICE

This is to certify that an original and ten copies of this Petition for Confidential Treatment of Information in the above-styled case were delivered to the Elizabeth O'Donnell, Executive Director, Public Service Commission, 211 Sower Boulevard, Frankfort, Kentucky 40602, and copies were mailed to parties on the service list in this case, this 31st day of March, 2005.



CHARLES A. LILE

(053Smith1DR1-confidtrat)

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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