

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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JUN 15 2005

PUBLIC SERVICE
COMMISSION

In the Matter of:

An Assessment of Kentucky's)
Electric Generation, Transmission) Administrative Case No. 2005-00090
And Distribution Needs)

**PETITION FOR CONFIDENTIAL TREATMENT
AND REQUEST FOR DEVIATION FROM RULES**

Kentucky Power Company moves the Commission pursuant to 807 KAR 5:001, Section 7 and KRS 61.878(1)(k) for an Order granting confidential treatment to portions of its Response to the report entitled "Assessment of Kentucky's Transmission System Vulnerability to Electrical Disturbances". In support Kentucky Power states:

The Data Request and Filing

In its April 28, 2005 Order the Commission directed Kentucky Power to:

certify in writing that ... [it has] reviewed the aforementioned report and ... [has] taken appropriate action to address the vulnerabilities identified in the course of conducting the assessment.

In response to this Order request Kentucky Power is filing the required Certification that details certain findings concerning Kentucky Power's transmission system and Kentucky Power's response to vulnerabilities, if any, identified in the Report.

Statutory Exception

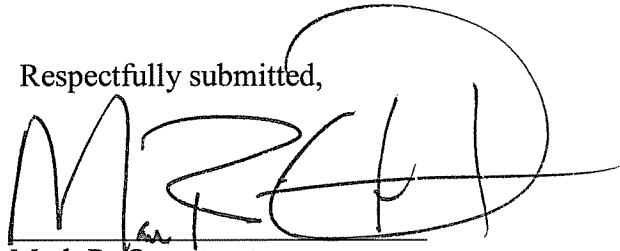
KRS 61.878(k) excludes from the Open Records Act:

All public records or information the disclosure of which is prohibited by federal law or regulation.

This exception applies to those portions of Kentucky Power's Response for which confidential treatment is sought. The information for which confidential treatment is sought constitutes Confidential Electrical Infrastructure Information. 18 C.F.R. § 388.113(c) defines CEII as "information about proposed or existing infrastructure that relates to the production, generation, transportation, transmission of energy and that could be useful to a person planning an attack on critical infrastructure." 18 C.F.R. § 388.112 exempts such information from disclosure under the Freedom of Information Act. In addition, the Commission itself recognized the confidential nature of the information by restricting dissemination of that portion of the Report entitled "Working Papers." The information for which confidential treatment is sought is found in the "Working Papers" section of the Report.

Wherefore, Kentucky Power respectfully requests the Public Service Commission of Kentucky to issue an Order protecting from public disclosure those portions of its Response constituting Confidential Electrical Infrastructure Information.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark R. Overstreet', with a large circular flourish above the name.

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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was served via United States Postal Service, First Class Mail, postage prepaid, upon:

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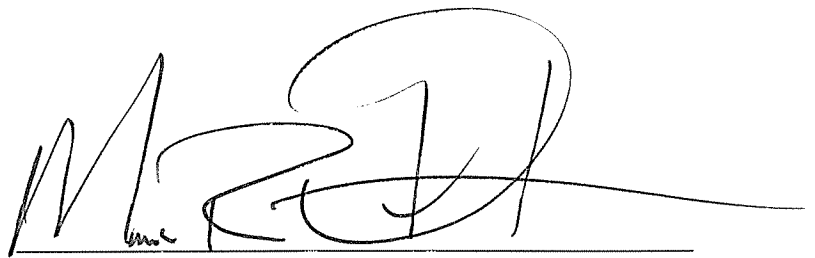
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on this the 15th day of June, 2005.

A handwritten signature in black ink, appearing to read 'Mark R. Overstreet', written over a horizontal line. The signature is stylized and cursive.

Mark R. Overstreet