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David L. Armstrong  
Chairman

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Vice Chairman

Charles R. Borders  
Commissioner

August 31, 2009

Stoll Keenon Ogden, PLLC  
Attention: Kendrick R. Riggs  
2000 PNC Plaza  
500 West Jefferson Street  
Louisville, Kentucky 40202-2828

Re: E.ON Entities - Petition for Confidential Treatment received 5/19/09  
PSC Reference – Case No. 2007-00455

Dear Mr. Riggs:

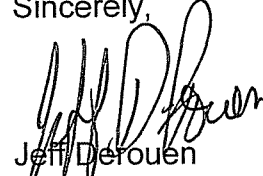
The Public Service Commission has received the Petition for Confidential Treatment you filed on May 19, 2009 on behalf of E.ON. Entities to protect certain information filed with the Commission as confidential pursuant to Section 7 of 807 KAR 5:001 and KRS 61.870. The information you seek to have treated as confidential is identified as information contained in its Indemnification Agreement, which contains Specific financial details regarding a form of consideration to be conveyed from E.ON Entities to Big Rivers Electric Corporation in connection with securing consents of non-jurisdictional parties to the subject matter transaction in this case. Your justification for having the Commission handle this material as confidential is that the public disclosure of the information would compromise E.ON Entities' competitive position in the industry and result in an unfair commercial advantage to its 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 you seek to keep confidential is of a proprietary nature, which if publicly disclosed would permit an unfair commercial advantage to E.ON Entities' 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. Riggs  
August 28, 2009  
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If the information becomes publicly available or no longer warrants confidential treatment, E.ON Entitles 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.

Sincerely,



Jeff Derouen  
Executive Director

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cc: Parties of Record