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 David L. Armstrong Chairman

James W. Gardner Vice Chairman

Charles R. Borders Commissioner

March 18, 2010

E.ON U.S. LLC

Attention: Allyson K. Sturgeon

220 West Main Street

Louisville, Kentucky 40202

Re: Kentucky Utilities Company

Petition for Confidential Protection received 2/17/10

PSC Reference - Case No. 2009-00507

Dear Ms. Sturgeon:

The Public Service Commission has received the Petition for Confidential Protection you filed on February 17, 2010 on behalf of Kentucky Utilities Company ("KU") to protect certain information filed with the Commission as confidential pursuant to Section 7 of 807 KAR 5:001 and KRS 61.878. The information you seek to have treated as confidential is identified as information contained in KU's Responses to Commission Data Request Nos. 19 and 20 as in Appendix of the Commission's Order dated January 27, 2010. The information is more particularly described as containing coal bid analysis information: procedure for evaluating bids for coal supply.

Your justification for having the Commission handle this material as confidential is that the public disclosure of the information would compromise KU's competitive position in the industry and result in an unfair commercial advantage to their 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 KU's 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.



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If the information becomes publicly available or no longer warrants confidential treatment, Kentucky Utilities Company 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,

Executive Director

kg/

cc: Parties of Record