Steven L. Beshear Governor

Leonard K. Peters Secretary Energy and Environment Cabinet



Commonwealth of Kentucky **Public Service Commission**

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James W. Gardner Vice Chairman

Charles R. Borders Commissioner

December 1, 2010

Frost Brown Todd LLC Attention: Mark David Goss 250 West Main Street, Suite 2800 Lexington, Kentucky 40507-1749

Re: East Kentucky Power Cooperative, Inc.

Petition for Confidential Protection received 11/18/10

PSC Reference #: 2010-00238

Dear Mr. Goss:

The Public Service Commission has received the Petition for Confidential Protection you filed on November 18, 2010 on behalf of East Kentucky Power Cooperative, Inc., ("EKPC") 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 being contained in EKPC's Exhibits and supporting documents attached to Direct Testimony filed pursuant to Commission Order and Amended Orders issued in this case. The information is more particularly described as fuel, emission, purchased power, and load\financial forecasts assumptions.

Your justification for having the Commission handle this material as confidential is that the public disclosure of the information would compromise EKPC's competitive position in the industry, which would 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 requested to be held confidential is of a proprietary nature, which if publicly disclosed would permit an unfair commercial advantage to EKPC'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, East Kentucky Power Cooperative, Inc. 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.

Sinc/erely

Executive Director

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cc: Parties of Record