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

February 23, 2011

Stites & Harbison PLLC
Attention: Mark R. Overstreet
421 West Main Street
P.O. Box 634
Frankfort, Kentucky 40602-0634

Re: Kentucky Power Company

Petition for Confidential Protection received 2/14/11

PSC Reference #: 2010-00490

Dear Mr. Overstreet:

The Public Service Commission has received the Petition for Confidential Protection you filed on February 14, 2011 on behalf of Kentucky Power Company ("Ky Power"), 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 Ky Power's Response to PSC Data Request No. 24(b). The information is more particularly described as containing identification of coal vendors and ranking of proposals, tabulation sheets and number of vendors solicitation and number responding.

Your justification for having the Commission handle this material as confidential is that the public disclosure of the information would compromise Ky Power'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 Ky Power'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 Power 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.

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Executive Director

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cc: Parties of Record