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 16, 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 3/7/11

PSC Reference #: 2010-00490

Dear Mr. Overstreet:

The Public Service Commission has received the Petition for Confidential Protection you filed on March 7, 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 Responses to PSC Data Request Nos. 1 and 2. The information is more particularly described as containing (No. 1): specific starting and ending dates for planned outages for 2011 and 2012; and (No. 2): names of companies submitting bids, information of the basin where coal is obtained, and the specification identifier.

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



Mr. Overstreet March 16, 2011 Page 2

usage of confidential materials during formal proceedings may be found at Section 7(8) of 807 KAR 5:001.

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.

Executive Director

kg/

cc: Parties of Record