

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF EAST KENTUCKY POWER)	
COOPERATIVE, INC FOR A CERTIFICATE OF)	CASE NO.
PUBLIC CONVENIENCE AND NECESSITY FOR)	2013-00259
ALTERATION OF CERTAIN EQUIPMENT AT THE)	
COOPER STATION AND APPROVAL OF A)	
COMPLIANCE PLAN AMENDMENT FOR)	
ENVIRONMENTAL SURCHARGE COST)	
RECOVERY)	

ORDER

This matter arises on a petition filed on August 21, 2013, by East Kentucky Power Cooperative, Inc. (EKPC), pursuant to 807 KAR 5:001, Section 13, requesting that designated materials filed with the Commission be afforded confidential protection for ten years.

In support of its petition filed on August 21, 2013, EKPC states that public disclosure of the designated materials in exhibits 1 and 2 to its Application filed on August 21, 2013, would result in competitive injury by allowing a competitive disadvantage in future contract negotiations to the detriment of EKPC and its customers.

Having considered the petitions and the materials at issue, the Commission finds that the designated materials described in EKPC's August 21, 2013 petition meet the criteria for confidential treatment and are exempted from public disclosure pursuant to KRS 61.878(1)(c)(1).

IT IS THEREFORE ORDERED that:

1. EKPC's August 21, 2013 petition for confidential protection is granted.

2. The designated materials in EKPC's August 21, 2013 petition shall not be placed in the public record or made available for public inspection for ten years, or until further Orders of this Commission.

3. Use of the designated materials of EKPC's August 21, 2013 petition in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).

4. EKPC shall inform the Commission if the designated materials of EKPC's August 21, 2013 petition become publicly available or no longer qualify for confidential treatment.

5. If a non-party to this proceeding requests to inspect the designated materials granted confidential treatment by this Order and the period during which the materials have been granted confidential treatment has not expired, EKPC shall have 30 days from receipt of written notice of the request to demonstrate that the materials still fall within the exclusions from disclosure requirements established in KRS 61.878. If EKPC is unable to make such demonstration, the requested materials shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

6. The Commission shall not make the designated materials of EKPC's August 21, 2013 petition available for inspection for 30 days following an Order finding that the materials no longer qualify for confidential treatment in order to allow EKPC to seek a remedy afforded by law.

By the Commission

ENTERED
JUN 18 2019
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


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