

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN EXAMINATION OF THE APPLICATION OF THE)	
FUEL ADJUSTMENT CLAUSE OF KENTUCKY)	CASE NO.
POWER COMPANY FROM NOVEMBER 1, 2013)	2014-00225
THROUGH APRIL 30, 2014)	

ORDER

This matter arises on a petition filed on October 1, 2014, by Kentucky Power Company (Kentucky Power), pursuant to 807 KAR 5:001, Section 13, requesting that designated materials filed with the Commission be afforded confidential protection for an indefinite period.

In support of its petition filed on October 1, 2014, Kentucky Power states that public disclosure of the designated materials contained in Attachment 1 of its response to Kentucky Industrial Utility Customers, Inc.'s Data Request 2-15 would result in competitive injury by creating a chilling effect on the willingness of software developers to enter into licensing agreements with Kentucky Power.

Having considered the petition and the materials at issue, the Commission finds that the designated materials described in Kentucky Power's October 1, 2014 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. Kentucky Power's October 1, 2014 petition for confidential protection is granted.

2. The designated materials shall not be placed in the public record or made available for public inspection for an indefinite period, or until further Orders of this Commission.

3. Use of the designated materials in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).

4. Kentucky Power shall inform the Commission if the designated materials 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, Kentucky Power 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 Kentucky Power 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 available for inspection for 30 days following an Order finding that the materials no longer qualify for confidential treatment in order to allow Kentucky Power to seek a remedy afforded by law.

By the Commission

ENTERED
AUG 13 2019
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



For Executive Director

Case No. 2014-00225

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