

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

|  |   |            |
|--|---|------------|
| AN EXAMINATION OF THE APPLICATION OF THE | ) |            |
| FUEL ADJUSTMENT CLAUSE OF BIG RIVERS     | ) | CASE NO.   |
| ELECTRIC CORPORATION FROM NOVEMBER 1,    | ) | 2017-00287 |
| 2016 THROUGH APRIL 30, 2017              | ) |            |

ORDER

On September 13, 2017, Big Rivers Electric Corporation (BREC) filed a petition, pursuant to 807 KAR 5:001, Section 13, requesting that certain materials filed with the Commission be afforded confidential protection and not be placed in the public record subject to public inspection.

In support of its request, BREC states that the information it is requesting to be held confidential is contained in its responses to requests for information contained in the Appendix to the Commission's Order dated August 30, 2017, Items 5 and 19. The material requested to be held confidential is described as off-system sales information and bid information for fuel contracts.

Having considered the petition and the material at issue, the Commission finds that the information contained in its responses meets the criteria for confidential treatment and is exempted from public disclosure pursuant to KRS 61.878(1)(c)(1).

IT IS THEREFORE ORDERED that:

1. BREC's petition for confidential protection for its responses to the requests for information contained in the Appendix to the Commission's Order dated August 30, 2017, is granted.

2. The materials requested to be held confidential shall not be placed in the public record or made available for public inspection for an indefinite period from the date of this Order, or until further Orders of this Commission.

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

4. BREC shall inform the Commission if the material in question becomes publicly available or no longer qualifies for confidential treatment.

5. If a non-party to this proceeding requests to inspect the material granted confidential treatment by this Order and the period during which the material has been granted confidential treatment has not expired, BREC shall have 20 days from receipt of written notice of the request to demonstrate that the material still falls within the exclusions from disclosure requirements established in KRS 61.878. If BREC is unable to make such demonstration, the requested material shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

6. The Commission shall not make the requested material available for inspection for 20 days following an Order finding that the material no longer qualifies for confidential treatment in order to allow BREC to seek a remedy afforded by law.

By the Commission

ENTERED  
JUL 26 2018  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:

  
Executive Director

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