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

December 21, 2012

David L. Armstrong Chairman

James W. Gardner Vice Chairman

Linda K. Breathitt Commissioner

LG&E and KU Services Company Attention: Allyson Sturgeon 220 West Main Street Louisville, Kentucky 40202

Re: Kentucky Utilities Company Petition for Confidential Treatment received 9/12/12 PSC Reference – Case No. 2012-00320

Dear Ms. Sturgeon:

The Public Service Commission has received the Petition for Confidential Treatment you filed on September 12, 2012 on behalf of Kentucky Utilities Company ("KU") 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 KU's Response to Commission Data Requests Nos. 12a and 19 pursuant to Appendix to Commission Order dated August 22, 2012. The information is described as (DR 12a)- terms and conditions of contract dispute settlements; and (DR No. 19) – coal bid analysis information pertaining to procedure used for evaluating bids for coal supply.

Your justification for having the Commission handle this material as confidential is that the public disclosure of the information could result in an unfair commercial advantage to 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 KU's competitors. Therefore, the information requested to be treated as confidential **meets the criteria for confidential protection** and will be removed from the public record and 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 Utilities 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.

Sincerely Deroluen cutive Director Jef

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cc: Parties of Record