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Commissioner

December 11, 2012

Boehm, Kurtz & Lowry
Attention: Kurt J. Boehm
36 East Seventh Street, Suite 1510
Cincinnati, Ohio 45202

Re: Big Rivers Electric Corporation
Petition for Confidential Treatment received 8/21/12 covering materials sent 8-7-12, 8-8-12 and 8-10-12
PSC Reference – Case No. 2012-00063

Dear Mr. Boehm:

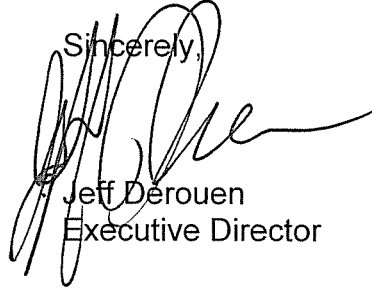
The Public Service Commission has received the Petition for Confidential Treatment filed on August 21, 2012 on behalf of Kentucky Industrial Utility Customers, Inc. ("KIUC") to protect certain information filed with the Commission on August 7, 2012, August 8, 2012, August 10, 2012 and August 21, 2012 as confidential pursuant to Section 7 of 807 KAR 5:001 and KRS 61.878. The information sought to be treated as confidential is contained in KIUC's Responses to PSC Data Request No. 1; BREC Data Request Nos. 1, 2, 3, 4, 11, 24, 25, 26 and 27; and SC Data Request No. 1. The information is described as containing or referencing information from BREC's Testimony and/or Exhibits and Data Request Responses subject to a confidentiality agreement between the parties.

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 Big Rivers' competitors and would violate the confidentiality agreement between the parties of record. 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 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, the parties are 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,

A handwritten signature in black ink, appearing to read 'Jeff Derouen', is written over the word 'Sincerely,'.

Jeff Derouen
Executive Director

kg/

cc: Parties of Record