

March 31, 2016

VIA HAND DELIVERY

Executive Director
Kentucky Public Service Commission
P.O. Box 615
211 Sower Boulevard
Frankfort, KY 40602

RECEIVED

MAR 31 2016

**PUBLIC SERVICE
COMMISSION**

RE: The Application of East Kentucky Power Cooperative, Inc. For The Approval of a Special Contract—Case No. 2013-00174—Cost Savings Data for Gallatin Steel Contract from East Kentucky Power Cooperative, Inc. – ***Request for Confidential Treatment***

Dear Executive Director:

Attached, please find an original and ten copies of the information required to be filed by East Kentucky Power Cooperative, Inc. (“EKPC”) regarding the Gallatin Steel (“NUCOR”) contract pursuant to ordering paragraph 3 of the Commission’s February 27, 2014, Order in the above styled case. In accordance with KRS 61.878, 807 KAR 5:001, Section 13(3) and other applicable law, EKPC hereby respectfully requests that certain portions of the cost savings data be classified as confidential for a period of ten (10) years from the date of this filing, for the specific reasons set forth below.

The Kentucky Open Records Act exempts from disclosure certain commercial information. *See* KRS 61.878(1)(c). To qualify for this exemption from public disclosure and, therefore, to maintain the confidentiality of the information, a party must establish that disclosure of the commercial information would permit an unfair advantage to competitors of that party. Public disclosure of the Confidential Information identified herein would, in fact, prompt such results.

Disclosure of the interruptions, changes in load, cost information and savings attributable to the special contract with NUCOR would permit EKPC’s competitors to have an unfair commercial advantage. The information provided under seal discloses sensitive and proprietary information as these amounts are internally-derived by EKPC in order to provide service to its customers at fair, just and reasonable rates and would give competitors sensitive information

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about EKPC's interaction with NUCOR. Maintaining the confidentiality of this information is necessary to protect the interests of EKPC, NUCOR, and the remainder of EKPC's Members. The public disclosure of the contract-specific information would reveal information that is, quite obviously, highly sensitive, commercially valuable and strictly proprietary – potentially harming EKPC's competitive position in the marketplace, to the detriment of EKPC and its Members.

The Confidential Information contained in this data was developed internally by EKPC personnel, is not on file with any public agency, and is not available from any commercial or other source. The aforementioned Confidential Information in the cost savings data is distributed within EKPC only to those employees who must have access for business reasons, and is generally recognized as confidential and proprietary in the energy industry. The Confidential Information for which EKPC is seeking confidential treatment is not known outside of EKPC and the other parties to the special contract. This Confidential Information was, and remains, integral to EKPC's effective execution of business decisions and strategy. Such information is generally regarded as confidential or proprietary. Indeed, as the Kentucky Supreme Court has found, "information concerning the inner workings of a corporation is 'generally accepted as confidential or proprietary.'" *Hoy v. Kentucky Industrial Revitalization Authority*, 907 S.W.2d 766, 768 (Ky. 1995).

The enclosed information is also entitled to confidential treatment because it constitutes a trade secret under the two-prong test of KRS 365.880: (a) the economic value of the information is derived from not being readily ascertainable by other persons who can obtain economic value by its disclosure; and (b) the information is the subject of efforts that are reasonable under the circumstances to maintain its secrecy. The economic value of the information is derived by EKPC maintaining the confidentiality of the information since competitors and entities with whom EKPC transacts business could obtain economic value by its disclosure.

In accordance with 807 KAR 5:001, Section 13(3), I am enclosing: (1) one copy of the data, under seal, which identifies the confidential material; and (1) one copy of the data in which the confidential material is redacted. Please return a file-stamped copy of this filing to my office.

Please let me know if you have any questions.

Sincerely,



Mark David Goss

Enc.

Gallatin Steel Buy Through Activity for June 2015 and September 2015 test

Date	Start of Interruption	End of Interruption	Buy HE	Type of Interruption	Actual Non Conforming Load	Buy Through DA MWH	DA Rate at AD Hub	Buy Through DA Cost	Buy Through RT MWH	RT Rate at AD Hub	Buy Through RT Cost	Buy Through Net MWH	Buy Through Net Cost	Buy Through Net Rate	Actual Non Conforming Load	105 MWH if Gallatin was less than 105MWH	MW Gallatin chose not to run during B/T	Buy Through Net Rate	Avoided Cost for MW not run during B/T	Total savings re to Buy Through	MWh that would/could have been billed at contract rate	Estimated Energy Rate at Contract	Amount of Energy Charges Would have been billed with no B/T		
																								Forecast	Delta
6/23/15	1 p.m.		14	Y	Economic		\$ 59.21			\$ 40.68															
6/23/15		15	Y	Economic		\$ 73.76				\$ 38.34															
6/23/15		16	Y	Economic		\$ 93.55				\$ 50.16															
6/23/15		17	Y	Economic		\$ 106.68				\$ 47.75															
6/23/15		18	Y	Economic		\$ 78.07				\$ 37.26															
6/23/15	7 p.m.		19	Y	Economic		\$ 51.87			\$ 30.57															

The 9/15/2015 event was a PJM Required test; no Buy Through Offered

Total Buy Through Energy Billed	
Energy Cost Avoided by EK with Buy Through	
Less Contract Energy if no B/T offered	
Cost saving er the Buy Through	

REDACTED

Gallatin Steel Buy Through Activity for July 2015

Date	Start of Interruption	End of Interruption	Buy HE	Buy Through	Type of Interruption	Actual Non Conforming Forecast	Buy Through DA Delta	Buy Through DA MWH	DA Rate at AD Hub	Buy Through DA Cost	Buy Through RT MWH	RT Rate at AD Hub	Buy Through RT Cost	Buy Through Net MWH	Buy Through Net Cost	Buy Through Net Rate	Actual Non Conforming Load	105 MWH if Gallatin was less than 105MW	MW Gallatin chose not to run during B/T	Buy Through Net Rate	Avoided Cost for MW not run during B/T	Total savings re to Buy Through	MWh that would/could have been billed at contract rate	Estimated Energy Rate at Contract	Amount of Energy Charges Would have been billed with no B/T		
7/20/15	1 p.m.		14	Y	Economic				54.05			\$ 82.32															
7/20/15			15	Y	Economic				58.90			\$ 147.80															
7/20/15			16	Y	Economic				67.65			\$ 137.35															
7/20/15			17	Y	Economic				77.15			\$ 366.20															
7/20/15			18	Y	Economic				68.58			\$ 121.41															
7/20/15		7 p.m.	19	Y	Economic				48.26			\$ 205.94															
7/28/15	2 p.m.		15	Y	Economic				62.28			\$ 74.92															
7/28/15			16	Y	Economic				76.64			\$ 80.83															
7/28/15			17	Y	Economic				85.65			\$ 93.94															
7/28/15			18	Y	Economic				79.59			\$ 77.92															
7/28/15			19	Y	Economic				54.68			\$ 55.63															
7/28/15		8 p.m.	20	Y	Economic				50.18			\$ 48.92															
7/29/15	1 p.m.		14	Y	Economic				80.72			\$ 45.85															
7/29/15			15	Y	Economic				112.61			\$ 57.65															
7/29/15			16	Y	Economic				145.10			\$ 44.73															
7/29/15			17	Y	Economic				155.67			\$ 42.69															
7/29/15			18	Y	Economic				138.03			\$ 45.35															
7/29/15		7 p.m.	19	Y	Economic				82.44			\$ 40.06															
7/30/15	1 p.m.		14	Y	Economic				55.75			\$ 32.31															
7/30/15			15	Y	Economic				68.82			\$ 29.34															
7/30/15			16	Y	Economic				79.89			\$ 29.01															
7/30/15			17	Y	Economic				87.64			\$ 30.34															
7/30/15			18	Y	Economic				73.08			\$ 31.90															
7/30/15		7 p.m.	19	Y	Economic				49.04			\$ 36.85															

[REDACTED]

Total Buy Through Energy Billed	
Energy Cost Avoided by EK with Buy Through:	
Less Contract Energy if no B/T offered	
Cost saving er the Buy Through	

REDACTED

Gallatin Steel Buy Through Activity for September 2015

Date	Start of interruption	End of interruption	Buy HE	Buy Through	Type of Interruption	Actual Non Conforming Forecast	Actual Non Conforming Load	Buy Through DA Delta	DA Rate at AD Hub	Buy Through DA Cost	Buy Through RT MWH	RT Rate at AD Hub	Buy Through RT Cost	Buy Through Net MWH	Buy Through Net Cost	Buy Through Net Rate	Actual Non Conforming Load	105 MWH if Gallatin was less than 105MWH	MW Gallatin chose not to run during B/T	Buy Through Net Rate	Avoided Cost for MW not run during B/T	Total savings re to Buy Through	MWh that would/could have been billed at contract rate	Estimated Energy Rate at Contract	Amount of Energy Charges Would have been billed with no B/T			
9/2/15	1 p.m.		14	Y	Economic				58.23			38.20																
9/2/15			15	Y	Economic				70.48				36.11															
9/2/15			16	Y	Economic				92.58				32.97															
9/2/15			17	Y	Economic				116.07				34.85															
9/2/15			18	Y	Economic				90.30				35.76															
9/2/15	7 p.m.		19	Y	Economic				55.62			32.63																
9/3/15			15	Y	Economic				59.97				37.62															
9/3/15	2 p.m.		16	Y	Economic				73.40			39.03																
9/3/15			17	Y	Economic				85.36				61.96															
9/3/15	6 p.m.		18	Y	Economic				68.28			52.79																
9/3/15																												
9/15/2015	12:00 p.m.	1 p.m.	13	no	Emer Test PJM	0																						

Total Buy Through Energy Billed
Energy Cost Avoided by EK with Buy Through
Less Contract Energy if no B/T offered
Cost saving or the Buy Through

REDACTED

	Hrs Of Int	Hrs Buy Through Accepted	Avg Rate for Buy Through Charged	Average MWH per HR Billed at B/T Rate	Total Buy Through Energy Billed	Energy Cost Avoided by EK with Buy Through	Buy Through Energy Billed and avoided Costs	Less Contract Energy if no B/T offered	Cost saving er the Buy Through		
June 2015	6	6									
July 2015	24	24									
September 2015	10	10									
Total	40	40									
RPM Capacity Market Value											
					Total value of DR from June 1, 2015 through March 31, 2016.						

REDACTED