

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

INTEGRATED RESOURCE PLANNING)
REPORT OF KENTUCKY POWER) CASE NO. 96-495
COMPANY D/B/A AMERICAN ELECTRIC)
POWER)

O R D E R

This matter arising upon petition of Kentucky Power Company d/b/a American Electric Power ("AEP"), filed October 21, 1996, pursuant to 807 KAR 5:001, Section 7, for confidential protection of information based upon the projected cost data and projected retail rates contained in the supplement to AEP's Integrated Resource Planning ("IRP") Report on the grounds that disclosure of the information is likely to cause AEP competitive injury, and it appearing to this Commission as follows:

In accordance with regulation 807 KAR 5:058, AEP has filed its IRP Report. In addition, as supplements to the report, AEP has filed three exhibits in which it has projected future fuel and operating and maintenance cost data, as well as future projected average retail rates. AEP seeks to protect this information, and those portions of the supplemental reports based upon them, as confidential.

KRS 61.872(1) requires information filed with the Commission to be available for public inspection unless specifically exempted by statute. Exemptions from this requirement are provided in KRS 61.878(1). That subsection of the statute exempts several categories of information. One category exempted in paragraph (c)1 of that

subsection is commercial information confidentially disclosed to the Commission which if made public would permit an unfair commercial advantage to competitors of the party from whom the information was obtained. To qualify for the exemption, the party claiming confidentiality must demonstrate actual competition and a likelihood of substantial competitive injury if the information is disclosed. Competitive injury occurs when disclosure of the information gives competitors an unfair business advantage.


AEP competes with other electric suppliers in the wholesale power market and faces potential competition for segments of the retail power market. Such competitors could use the information sought to be protected to underbid AEP in those market places. Therefore, disclosure of the information is likely to cause AEP competitive injury and the information should be protected as confidential.

This Commission being otherwise sufficiently advised,

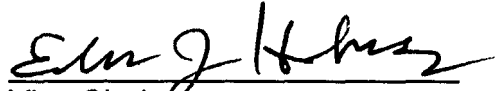
IT IS ORDERED that those portions of the supplements to AEP's IRP Planning Report, which are based upon projected cost data and projected retail rates, which AEP has petitioned to be withheld from public disclosure, shall be held and retained by this Commission as confidential and shall not be open for public inspection.

Done at Frankfort, Kentucky, this 26th day of December, 1996.

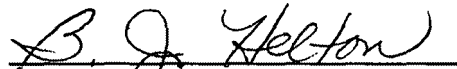
PUBLIC SERVICE COMMISSION



Chairman



Vice Chairman



Commissioner

ATTEST:



Executive Director