

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In The Matter Of:

An Examination Of The Application of The)
Fuel Adjustment Clause of Kentucky Power) Case No. 2016-00230
Company from November 1, 2015 Through)
April 30, 2016)

MOTION OF KENTUCKY POWER COMPANY
FOR CONFIDENTIAL TREATMENT

Kentucky Power Company moves the Public Service Commission of Kentucky pursuant to 807 KAR 5:001, Section 13(2) for an Order granting confidential treatment to the identified portions of KPCO_R_PSC_2_2_Attachment1_Confidential.xls. Specifically, Kentucky Power seeks confidential treatment of proprietary information provided to Kentucky Power under license from *Platts Gas Weekly* (or that can be used to derive proprietary information provided to Kentucky Power under license from *Platts Gas Weekly*) and utilized by the Company in performing calculations for determining the Company's "peaking unit equivalent" KPCO_R_PSC_2_2_Attachment1_Confidential.xls.

Pursuant to 807 KAR 5:001, Section 13, Kentucky Power is filing under seal electronic versions of the identified attachments containing confidential information with the confidential portions highlighted in yellow. Kentucky Power is also filing redacted versions of the attachments. Kentucky Power will notify the Commission when it determines the information for which confidential treatment is sought is no longer confidential.

A. The Requests And The Statutory Standard.

Kentucky Power does not object to filing the identified information for which it is seeking confidential treatment, but requests that the identified portions of the responses be excluded from the public record and public disclosure.

KRS 61.878(1)(c)(1) excludes from disclosure under the Open Records Act:

Upon and after July 15, 1992, records confidentially disclosed to an agency or required to be disclosed to it, generally recognized as confidential or proprietary, which if openly disclosed would permit an unfair commercial advantage to competitors of the entity that disclosed the records.

This exception applies to the following information for which Kentucky Power is seeking confidential treatment.

KPCO_R_PSC_2_Attachment 2_Confidential.pdf provides the Company's calculations and supporting data for determining the "peaking unit equivalent," including gas prices published in *Platts Gas Daily* (or that can be used to derive proprietary information from *Platts Gas Weekly*). Kentucky Power does not own this data. Instead, the data is proprietary information published in *Platts Gas Daily* and made available to Kentucky Power through a license agreement with the publisher of *Platts Gas Daily*.

Disclosure of this information to the Commission is not prohibited, but the protections afforded by confidential treatment are required. Public disclosure of the identified information would cause Kentucky Power to violate the terms of its license agreement with the publisher of *Platts Gas Daily*. Such a breach may result in the information no longer being made available to the Company for use in calculating the peaking unit equivalent.

Kentucky Power seeks confidential treatment of the identified information in KPCO_R_PSC_2_2_Attachment1_Confidential.xls indefinitely. The identified information is the property of the publisher of *Platts Gas Daily* and not Kentucky Power.

B. The Identified Information is Generally Recognized As Confidential and Proprietary and Public Disclosure Of It Will Result In An Unfair Commercial Advantage for Kentucky Power's Competitors.

The identified information is treated as highly confidential. Dissemination of the information for which confidential treatment is being requested is restricted by Kentucky Power, its parent, AEP, and its affiliates (including "AEPSC"). The "Columbia Gas Appalachia" natural gas prices published in *Platts Gas Daily* for which confidential treatment is sought is not disclosed by Kentucky Power, AEP, or its affiliates outside those organizations. (The information may be disclosed by Platts to other organizations but would be subject to similar licensing and confidentiality restrictions.) The Company understands that the information for which confidential treatment is sought is generally unavailable except through *Platts Gas Daily* or other publications, if any, that impose similar restrictions.

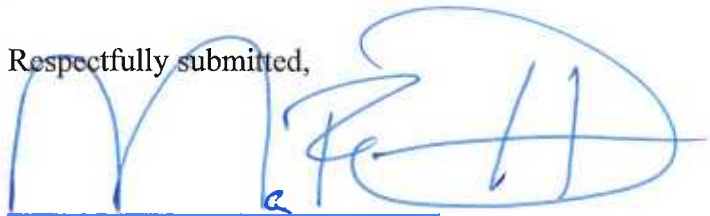
C. The Identified Information Is Required To Be Disclosed To An Agency.

The identified information is by the terms of the Commission's Order required to be disclosed to the Commission. The Commission is a "public agency" as that term is defined at KRS 61.870(1). Any filing should be subject to a confidentiality order and any party requesting such information should be required to enter into an appropriate confidentiality agreement.

WHEREFORE, Kentucky Power Company respectfully requests the Commission to enter an Order:

1. According confidential status to and withholding from public inspection the identified information; and
2. Granting Kentucky Power all further relief to which it may be entitled.

Respectfully submitted,



Mark R. Overstreet
STITES & HARBISON PLLC
421 West Main Street
P. O. Box 634
Frankfort, Kentucky 40602-0634
Telephone: (502) 223-3477
email: moverstreet@stites.com

COUNSEL FOR KENTUCKY POWER
COMPANY