

**COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION**

In the Matter of:

Electronic Application Of Kentucky Power)	
Company For (1) A General Adjustment Of Its)	
Rates For Electric Service; (2) An Order)	
Approving Its 2017 Environmental Compliance)	
Plan; (3) An Order Approving Its Tariffs And)	Case No. 2017-00179
Riders; (4) An Order Approving Accounting)	
Practices To Establish Regulatory Assets Or)	
Liabilities; And (5) An Order Granting All Other)	
Required Approvals And Relief)	

Kentucky Power Company's Motion 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 the analysis for the PJM 2028/2029 delivery year of the FRR/RPM election (the "FRR/RPM Analysis") made by the Company in conjunction with American Electric Power Company, Inc. ("AEP") and its eastern operating companies, specifically the entirety of Slides 4 and 5 and identified portions of Slide 6 of the FRR/RPM Analysis.

Pursuant to 807 KAR 5:001, Section 13, Kentucky Power is filing certain entire pages of document under seal. Kentucky Power is also filing a redacted version of the document

A. The FRR/RPM Election and Analysis 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 portion of the analysis and election be excluded from the public record and public disclosure.

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

(c)(1) 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 analysis.

1. Slides 4 through 6 of the FRR/RPM Analysis

Slides 4 and 5 and the identified portions of Slide 6 of the FRR/RPM Analysis provide both the analyses and the FRR/RPM elections made by Kentucky Power and the other AEP PJM-member operating companies in the PJM Interconnection LLC Base Residual Auction of the PJM 2028/2029 delivery year and AEP/Kentucky Power's offer approach for soliciting bids for the PJM 2028/2029 delivery year. AEP/Kentucky Power is currently in the process of soliciting bids for the PJM 2028/2029 delivery year.

The PJM Base Residual Auction is conducted to allow for the procurement of resource commitments to satisfy the PJM region's unforced capacity obligation for the delivery year and allocates the cost of those commitments to Load Serving Entities through a Locational Reliability Charge. The auction is highly competitive and includes large entities such as Pennsylvania Power and Light, First Energy Corporation, and Alleghany Power in addition to AEP and its member operating companies. Disclosure of the election and analysis and bidding strategy would unfairly prejudice Kentucky Power and its customers, AEP, and its other member operating companies, and their customers, by permitting their competitors to change their bidding strategy in response to the elections and analyses Kentucky Power seeks to protect. Public disclosure also would disclose the analyses and elections of those AEP operating companies not subject to this Commission's jurisdiction. Finally, disclosure of the identified information would allow competitors to identify trends in the capacity positions of Kentucky Power and its affiliated companies that would allow competitors to change their bidding strategies in the future.

The Commission previously has accorded confidential treatment to prior delivery year versions of the identified portions of the filing.¹

The confidential elections and analyses should be kept confidential indefinitely. Disclosure of this information will give competitors insight into the Company's strategy and trends in capacity position over time to the detriment of the Company's customers.

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 analyses and elections included on Slides 4 through 6 of the FRR/RPM Analysis are 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 American Electric Power Service Corporation). The Company, AEP, and its affiliates take all reasonable measures to prevent its disclosure to the public as well as persons within the Company and third-party vendors who do not have a need for the information. The information is not disclosed to persons outside Kentucky Power, AEP, or its affiliates. Within those organizations, the information is available only upon a confidential need-to-know basis that does not extend beyond those employees with a legitimate business need to know and act upon the identified information.

¹ Orders, *In the Matter of: Electronic Application Of Kentucky Power Company For (1) A General Adjustment Of Its Rates For Electric Service; (2) An Order Approving Its 2017 Environmental Compliance Plan; (3) An Order Approving Its Tariffs And Riders; (4) An Order Approving Accounting Practices To Establish Regulatory Assets Or Liabilities; And (5) An Order Granting All Other Required Approvals And Relief*, Case No. 2017-00179 (Ky. P.S.C. April 23, 2021, Ky. P.S.C. January 7, 2022; Ky. P.S.C. November 9, 2022; Ky. P.S.C. June 6, 2023).

C. The Identified Information is Required to be Disclosed to an Agency.

The identified information is, by the terms of paragraph 19 of the Commission's January 18, 2018 Order, required to be disclosed to the Commission. The Commission is a "public agency" as that term is defined in KRS 61.870(1).

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

1. According confidential status to and withholding from public inspection indefinitely the information contained in Slides 4 and 5 and the identified portions of Slide 6 of the FRR/RPM Analysis; and
2. Granting Kentucky Power all further relief to which it may be entitled.

Respectfully submitted,



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