

November 4, 2025

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VIA EMAIL

Linda C. Bridwell
Executive Director
Public Service Commission
211 Sower Boulevard
P.O. Box 615
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RE: Open Records Request received October 9, 2025, requesting records in PSC Case #2021-00346
PSC Reference: ORR Log # 2025-100

Dear Ms. Bridwell:

In response to your October 15, 2025 letter, Kentucky Power Company (“Kentucky Power” or “the Company”) asserts that the information for which it sought confidential treatment, and for which the Public Service Commission (“the Commission”) granted such treatment, remains confidential and therefore is not subject to disclosure under KRS 61.878. The confidential information includes:

Application Exhibit 5 — Pages 2 and 3 of 3 (Eastern);

Application Exhibit 6 — Pages 2 and 3 of 3 (Garrett)

Application Exhibit 7 — Pages 2 and 3 of 3 (Soft Shell);

Application Exhibit 8 — Pages 2 and 3 of 3 (McKinney);

Application Exhibit 9 — Page 2 of 2 (Beaver Creek); and

Application Exhibit 10 — Pages 2 and 3 of 3 (Snag Fork).

In Commission Case No. 2021-00346, Kentucky Power filed a Motion for Confidential Treatment of confidential information pursuant to 807 KAR 5:001, Section 13 and the Commission’s March 24, 2020 Order in Case No. 2020-00085.¹ The Commission granted this

¹ Motion for Confidential Treatment, *In the Matter of: Electronic Application Of Kentucky Power Company For A Certificate Of Public Convenience And Necessity To Construct A 138 kV Transmission Line And Associated*

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Motion in its entirety, designating the information as confidential and protected from public disclosure for an indefinite period of time.²

KRS 61.878(1)(m)(1)(f) exempts records from public inspection that would have a reasonable likelihood of threatening the public safety by exposing a vulnerability in preventing, protecting against, mitigating, or responding to a terrorist act, including “[i]nfrastructure records that expose a vulnerability . . . through the disclosure of the location, configuration, or security of critical systems, including public utility critical systems.” The confidential information in this matter details critical electrical infrastructure because it contains layout drawings and one-line diagrams of five substations and a switching structure. The Commission granted confidential treatment of this information because public disclosure would have a reasonable likelihood of threatening public safety by exposing a vulnerability in preventing, protecting against, mitigating, or responding to a terrorist act, pursuant to KRS 61.878(1)(m)(1)(f).

The vulnerabilities that public disclosure of this information could create still exist to the same extent that they did in 2021 when the Commission granted Kentucky Power’s Motion for Confidential Treatment. The drawings and diagrams still reflect the same infrastructure of five substations that are in use today, making the risk associated with disclosure significant. The information is still not available or ascertainable by others through normal or proper means. No amount of independent research could yield this information. The Company has continued to take all reasonable measures to prevent the disclosure of this confidential information to the public, as well as persons within the Company and its parent, American Electric Power Company, Inc. (“AEP”), and its affiliates, who do not have a need for the information. The Company and AEP restrict access to the confidential information to those employees and others who have a need to know such information due to their job and management responsibilities. Accordingly, the Company has continued to treat this information as confidential.

The information granted confidential treatment for an indefinite period of time in Commission Case No. 2021-00346 remains confidential at this time. The Company therefore respectfully requests that Commission decline to subject this confidential information to public disclosure by denying the October 9, 2025 Open Records Request submitted by Shannon H. Tucker, pursuant to 807 KAR 5:001, Section 13(10)(d), with respect to that information.

Facilities In Breathitt, Floyd, And Knott Counties, Kentucky (Garrett Area Improvements 138 kV Transmission Project), Case No. 2021-00346 (Ky. P.S.C. Nov. 8, 2021).

² Order at 2, *In the Matter of: Electronic Application Of Kentucky Power Company For A Certificate Of Public Convenience And Necessity To Construct A 138 kV Transmission Line And Associated Facilities In Breathitt, Floyd, And Knott Counties, Kentucky (Garrett Area Improvements 138 kV Transmission Project)*, Case No. 2021-00346 (Ky. P.S.C. Dec. 7, 2021).

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Very truly yours,

STITES & HARBISON PLLC



Katie M. Glass

KMG