

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

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	)	Case No. 2021-00346
In Breathitt, Floyd, And Knott Counties, Kentucky	)	
(Garrett Area Improvements 138 kV Transmission	)	
Project)	)	

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**MOTION FOR CONFIDENTIAL TREATMENT**

Kentucky Power Company moves the Public Service Commission of Kentucky pursuant to 807 KAR 5:001, Section 13 and KRS 61.878(1)(m)(1)(f) for an Order granting confidential treatment to the following exhibit pages (“Confidential Information”) filed in connection with Kentucky Power's application for a certificate of public convenience and necessity:

- (a) Exhibit 5 – Pages 2 and 3 of 3 (Eastern);
- (b) Exhibit 6 – Pages 2 and 3 of 3 (Garrett);
- (c) Exhibit 7 – Pages 2 and 3 of 3 (Soft Shell);
- (d) Exhibit 8 – Pages 2 and 3 of 3 (McKinney);
- (e) Exhibit 9 – Page 2 of 2 (Beaver Creek); and
- (f) Exhibit 10 – Pages 2 and 3 of 3 (Snag Fork).

Each exhibit page described above is confidential in its entirety.

Pursuant to 807 KAR 5:001, Section 13, and the Commission’s March 24, 2020 Order in Case No. 2020-00085, Kentucky Power is filing the Confidential Information under seal with the pages highlighted in their entirety in yellow. Kentucky Power also is filing a public version with the confidential information redacted. Kentucky Power will notify the Commission when it determines the information for which confidential treatment is sought is no longer confidential.

A. The Statutory Standard.

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:

Infrastructure records that expose a vulnerability referred to in this subparagraph through the disclosure of the location, configuration, or security of critical systems, including public utility critical systems. These critical systems shall include but not be limited to information technology, communication, electrical, fire suppression, ventilation, water, wastewater, sewage, and gas systems;

1. **The Confidential Information.**

The Confidential Information comprises layout drawings and one-line diagrams of five substations and a switching structure. The Confidential Information constitutes Critical Electrical Infrastructure Information (“CEII”). Specifically, it includes specific engineering and detailed design information about the substations and switching structures, thereby disclosing the location and configuration of existing and proposed critical electrical infrastructure. If the Confidential Information were made public it could expose vulnerabilities in preventing, protecting against, mitigating, or responding to a terrorist act.

Kentucky Power seeks confidential treatment of the Confidential Information for the life of the identified facilities. Once the facilities are retired the information will no longer be CEII.

B. The Identified Information is Generally Recognized As Confidential and Not Generally Known or Readily Ascertainable by Third Parties through Proper Means.

The Confidential Information is highly confidential. The Confidential Information is not available or ascertainable by other parties through normal or proper means. No reasonable amount of independent research could yield this information to other parties. The information reflects the internal planning efforts of American Electric Power Service Corporation

("AEPSC") and Kentucky Power (the "Companies") and information necessary to ensure a safe and reliable management of the transmission system.

Dissemination of the Confidential Information is restricted by Kentucky Power, its parent, American Electric Power Company, Inc., and its affiliates (including AEPSC). The Company, AEP, and its affiliates take all reasonable measures to prevent its disclosure to the public as well as persons within the Company who do not have a need for the information. AEP and the Companies restrict access to the Confidential Information to those employees and representatives of the Companies who have a need to know such information due to their job and management responsibilities. AEP and the Companies limit public access to buildings housing the Confidential Information by use of security guards, and persons not employed by the Companies who are allowed past security guards at buildings where Confidential Information is kept are not permitted to walk within such buildings without an escort. The files of AEP and the Companies containing the Confidential Information are maintained separately from their general records and access to those files is restricted. Within AEP and the Companies, access to this information has been and will continue to be disclosed only to those employees and representatives of AEP and the Companies who have a need to know about such information due to their job and management responsibilities. Outside the Companies, this information is only provided to certain persons who have a legitimate need to review the information.

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

The identified information is by the terms of 807 KAR 5:001, Section 15 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 Confidential Information; and
2. Granting Kentucky Power Company all other relief to which it may appear entitled.

Respectfully submitted,  


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