

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

In the Matter of:

An Electronic Examination OF The Application)	
Of The Fuel Adjustment Clause Of Kentucky)	Case No. 2022-00036
Company From May 1, 2021 Through October)	
31, 2021)	

**Kentucky Power Company’s Motion
For Confidential Treatment**

Kentucky Power Company moves the Public Service Commission of Kentucky (“Commission”) pursuant to 807 KAR 5:001, Section 13(2), and KRS 61.878(1)(c) for an Order granting confidential treatment to attachments 1 through 184 (“Confidential Attachments”)¹ to the Company’s response to KIUC 2-1 in their entirety. The Confidential Attachments comprise competitively sensitive economic analyses, and their inputs, including forecasted hourly load, forecasted market prices, forecasted market load, used in connection with unit commitment decisions for the Mitchell, Rockport, and Big Sandy generating stations during the review period.

Pursuant to 807 KAR 5:001, Section 13, Kentucky Power is filing under seal the Confidential Attachments in their entirety. Kentucky Power is also filing a public sheet identifying the attachments as being confidential in their entirety. Kentucky Power will notify the Commission in the future if the Company determines the Confidential Attachments are no longer confidential prior to the end of the period for which confidential treatment is requested herein.

¹ Because of their number and total file size the 184 attachments comprising the Confidential Attachments are being filed as KPCO_R_KIUC_2_1_ConfidentialAttachment1 (zip folder).

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 it requests that the identified portions of the responses 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 Confidential Attachments.

The Confidential Attachments comprise economic analyses of the Company's market offers in support of commitment decisions for the Mitchell, Rockport, and Big Sandy generating stations during the review period, as well as the Company's forecasts of market prices, peak demands, and load obligations for the days reflected in the analyses. Specifically, each of the individual spreadsheets comprising Confidential Attachments contain, for the relevant six-day period, the economic evaluation of the Company's market offers for each of the generating units for a given set of PJM Day Ahead forecasted prices. In addition, each of the attachments contains, over the relevant six-day period, the units' potential offer status in the Day Ahead market, Kentucky Power's estimated daily peak load with the expected hour the peak will occur, and Kentucky Power's forecasted hourly load obligations for that six-day period.

Competitors of Kentucky Power can use this information to identify the forecasted effect of the Company's market offers for the generating units for a given set of price expectations, the Company's overall load profile, including peak demand and time of peak demand, and the Company's forecast of PJM hourly load. Further, the Mitchell generating units included in this

information also serve Wheeling Power Company thereby inflicting unfair competitive injury on a third party not subject to this Commission's jurisdiction.

The data contained in the Confidential Attachments could be used by competitors in the PJM energy market to enhance their market offers to displace the Company's generation. Neither the Company nor its competitors publicly release this information. The Company estimates that after five years the factors that drive both the economics of the three generating stations, the Company's hourly load profile, the market (transmission, congestion, weather, loads in PJM, and PJM load zones) will render the information provided in the Confidential Attachments of limited competitive value. Therefore, Kentucky Power requests the identified information be kept confidential for a period of five years.

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 required to be disclosed by Kentucky Power in response to KIUC 2-1 is highly confidential and competitively sensitive. 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 ("AEPSC") and the affected operating company affiliates). 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. 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.

C. The Confidential Attachments Required to be Disclosed to an Agency.

The Confidential Attachments by the terms of the Commission's regulations required to be disclosed to the Commission. The Commission is a "public agency" as that term is defined in 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 for a period of five years, the Confidential Attachments (filed as KPCO_R_KIUC_2_1_ConfidentialAttachment1 (zip folder)) filed in response to KIUC 2-1; and
2. Granting Kentucky Power all further relief to which it may be entitled.

Respectfully submitted,



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