

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

In the Matter of:

Electronic 2022 Integrated Resource Planning Report)	Case No. 2023-00092
Of Kentucky Power Company)	

Kentucky Power Company’s Motion For Confidential Treatment

Kentucky Power Company (“Kentucky Power” or “Company”) moves the Public Service Commission of Kentucky (“Commission”) pursuant to 807 KAR 5:001, Section 13(2), and KRS 61.878(1) for an Order granting confidential treatment to the stenographic transcripts of the confidential sessions of the June 12, 2024 hearing in this matter.

The information for which Kentucky Power seeks confidential treatment is contained in confidential transcripts and includes testimony given by Company witnesses during confidential session of the hearing in this matter on June 12, 2024. The chart attached as **Exhibit 1** specifies the following information for each item contained in the confidential transcripts for which confidential treatment is sought:

- The time of the hearing containing the confidential testimony;
- The topic discussed;
- The witness testifying;
- The questioner and person requesting the confidential hearing session;
- The applicable section of KRS 61.878 under which confidential treatment is sought;
- and
- The period for which confidential treatment is sought.

The confidential sessions referenced in rows 1, 2, and 4 of Exhibit 1 include testimony given by Company Witness West and Company Witness Pearce in response to cross-examination

by Joint Intervenors and Commissioner Regan regarding Kentucky Power’s evaluation of the responses to Kentucky Power’s All-Source Request for Proposals (“RFP”) issued on September 22, 2023. The details of how Kentucky Power is currently evaluating the responses to the All-Source RFP that were the subject of the confidential session are highly confidential, that the public disclosure of such information would cause competitive injury to Kentucky Power, and that such details should be kept confidential indefinitely.

Specifically, the information discussed in this confidential sessions identified in rows 1, 2, and 4 of Exhibit 1 concerned responses to an All-Source RFP for generation resources, which were provided to the Company on a confidential basis by the respondents. The information discussed also provides insight into the manner by which Kentucky Power evaluates bids in response to the RFP. Failure to maintain this information as confidential may have a chilling effect on the willingness of future bidders to submit responses to Kentucky Power RFPs. In addition, if offers are less competitive than they otherwise would be, Kentucky Power and its customers may be harmed through higher costs than would otherwise be incurred.

The confidential session identified in row 3 of Exhibit 1 includes testimony by Company Witness Haratym in response to cross examination by Joint Intervenors regarding outputs of the Aurora model. The confidential information discussed during the confidential session identified in row 3 of Exhibit 1 was found in a table included on page 23 of Exhibit 1 to Joint Intervenors’ October 6, 2023 comments on the Company’s IRP. This table was based on information provided by the Company in Attachment 6 to its response to Commission Staff Data Request 1-8 (“Staff 1-8”). The Company sought confidential treatment of the information in Attachment 6 to the Company’s response to Staff 1-8 in a still-pending June 23, 2023 motion for confidential treatment. The reasons cited by the Company in its June 23, 2023 motion for confidential treatment of

Attachment 6 to its response to Staff 1-8 apply equally to the discussion of that information during the hearing and are incorporated in their entirety to this motion.

For the reasons stated herein, the confidential transcripts identified in this motion should be accorded confidential treatment for the periods indicated in Exhibit 1. Kentucky Power will notify the Commission if the Company determines prior to the end of the period for which confidential treatment is sought that the stenographic transcripts are no longer confidential.

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

1. According confidential status to the stenographic transcripts of the confidential sessions of the June 12, 2024 hearing in this matter for the periods indicated in Exhibit 1; and
2. Granting Kentucky Power all further relief to which it may be entitled.

Respectfully submitted,



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COUNSEL FOR KENTUCKY POWER
COMPANY

Exhibit 1

EXHIBIT 1

	Time of hearing transcript containing confidential testimony	Topic of confidential testimony	Company Witness testifying	Questioner/party requesting confidential hearing session	Applicable section(s) of KRS 61.878	Period for which confidential treatment is sought
1.	11:40 a.m to 11:51 a.m.	Evaluation of RFP responses	Brian K. West	Joint Intervenors	KRS 61.878(1)(c)(1)	Five years
2.	1:34 p.m. to 1:35 p.m.	Evaluation of RFP responses	Brian K. West	Commissioner Regan	KRS 61.878(1)(c)(1)	Five years
3.	6:56 p.m. to 7:03 p.m.	Aurora Model outputs	Thomas Haratym	Joint Intervenors	KRS 61.878(1)(c)(1)	The forecast period or through 2037
4.	8:47 p.m. to 9:05 p.m.	Evaluation of RFP responses	Kelly D. Pearce	Joint Intervenors	KRS 61.878(1)(c)(1)	Five years