

**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) Approval Of Tariffs And Riders;)	
(3) Approval Of Accounting Practices To Establish)	Case No. 2023-00159
Regulatory Assets And Liabilities; (4) A)	
Securitization Financing Order; And (5) All Other)	
Required Approvals And Relief)	

**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)(c), for an Order granting confidential treatment to the entirety of Attachment 1 to its response to Commission Staff Data Request 6-6 (“KPSC 6-6”), which is comprised of the calculations used to develop the subscription rates for the three Renewable Power Option Rider options.

Pursuant to 807 KAR 5:001, Section 13, Kentucky Power is filing the entire document under seal. Kentucky Power is also filing a public version of the document. Kentucky Power will notify the Commission in the future if the Company determines the information for which confidential treatment is sought is no longer confidential prior to the end of the period for which confidential treatment is requested herein.

I. MOTION FOR CONFIDENTIAL TREATMENT

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 following information for which Kentucky Power is seeking confidential treatment:

1. **Attachment 1 to KPSC 6-6.**

Attachment 1 to KPSC 6-6 is comprised of the calculations used to develop the subscription rates for the three Renewable Power Option Rider options and illustrates the market price for 2024 and 2025 vintage year National Wind and National Solar RECs. The forward price estimates are prepared by a third party and the Company obtains this forecast information as part of a paid service with the third party. The Company is prohibited by its subscription agreement with the third party from disclosing the forecast information publicly. The breach of the subscription agreement by the public disclosure of the information for which confidential treatment is requested could result in competitive commercial injury to Kentucky Power through the Company's loss of the ability to obtain the information in future for use.

In addition, public disclosure of the confidential information could put the Company at a competitive negotiating disadvantage if commercial counterparties (sellers) knew what the Company thought it would pay with respect to these RECs. With this information, the

commercial counterparties could modify the price of their offers, ultimately resulting in increased cost of service for Kentucky Power's customers.

The information contained in Attachment 1 to KPSC 6-6 should be kept confidential through December 31, 2029. After such time, there will no longer be any competitive advantage to be gained from the information.

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 pursuant to Commission regulations is 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 ("AEPSC")). 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 Identified Information is Required to be Disclosed to an Agency.

The identified information is 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 the entirety of Attachment 1 to its response to Commission Staff Data Request 6-6 through December 31, 2029; and
2. Granting Kentucky Power all further relief to which it may be entitled.

Respectfully submitted,



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