

**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;      )      Case No. 2025-00257  
(3) Approval Of Certain Regulatory And Accounting      )  
Treatments; and (4) 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 Supplemental Attachment 1 to its response to Commission Staff Data Request 2-61 (“KPSC 2-61”). Pursuant to 807 KAR 5:001, Section 13, Kentucky Power is filing under seal those attachments containing confidential information.

**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 attachments 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. Supplemental Attachment 1 to KPSC 2-61.**

Supplemental Attachment 1 to KPSC 2-61 is the Company's most recent credit opinion from Fitch Ratings ("Fitch"). This credit opinion is prepared by Fitch and is available to Kentucky Power pursuant to its paid subscription agreement with Fitch. The subscription agreement prohibits Kentucky Power from copying, transferring, or disseminating the credit opinion unless authorized under a contract with Fitch or otherwise authorized in writing by Fitch. The credit opinion is the property of Fitch; it is not the property of Kentucky Power or its parent, AEP. However, Kentucky Power has been authorized by Fitch to produce this exhibit if granted confidential treatment. Breach of the subscription agreement through 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 managing its credit metrics.

Kentucky Power seeks confidential treatment of Supplemental Attachment 1 to KPSC 2-61 indefinitely. The identified information belongs to Fitch and not Kentucky Power. Absent a waiver of confidential treatment by Fitch, the information should remain confidential indefinitely. The Commission previously granted confidential protection to similar information indefinitely.<sup>1</sup>

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<sup>1</sup> See Order, *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 Regulatory Assets And Liabilities; (4) Approval Of A Certificate Of Public Convenience And Necessity; And (5) All Other Required Approvals And Relief*, Case No 2020-00174 (Ky. P.S.C. Nov. 16, 2020) (granting confidential treatment indefinitely to credit opinions that were the intellectual property of Moody's Investor Service). The Company has sought confidential treatment of similar information produced in response to discovery in this case by motion dated October 9, 2025.

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 KPSC 2-61 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). Kentucky Power, AEP, and its affiliates (and third-party vendors where applicable) take all reasonable measures to prevent its disclosure to the public as well as persons within Kentucky Power and third-party vendors 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 on 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 Order 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 indefinitely Supplemental Attachment 1 to KPSC 2-61 ; and

2. Granting Kentucky Power all further relief to which it may be entitled.

Respectfully submitted,



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