



Steven L. Beshear  
Governor

Leonard K. Peters  
Secretary  
Energy and Environment Cabinet

Commonwealth of Kentucky  
**Public Service Commission**  
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P.O. Box 615  
Frankfort, Kentucky 40602-0615  
Telephone: (502) 564-3940  
Fax: (502) 564-3460  
psc.ky.gov

David L. Armstrong  
Chairman

James Gardner  
Vice-Chairman

John W. Clay  
Commissioner

January 8, 2009

Hon. Kendrick R. Riggs  
Stoll Keenon Ogden PLLC  
2000 PNC Plaza  
500 West Jefferson Street  
Louisville, Kentucky 40202-2828

Hon. Allyson K. Sturgeon  
E.ON U.S. LLC  
220 West Main Street  
Louisville, Kentucky 40202

Re: E.ON U.S.- Petition for Confidential Treatment received 10/28/08  
PSC Case No.: 2007-00455

Dear Counselors:

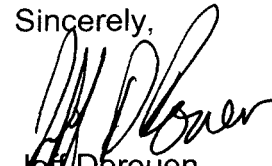
The Public Service Commission has received the Petition for Confidential Treatment you filed on October 28, 2008 on behalf of E.ON U.S. to protect certain information filed with the Commission as confidential under Section 7 of 807 KAR 5:001 and KRS 61.870 et. seq. The information you seek to have treated as confidential is identified as concerning specific financial details with regard to consideration to be paid by E.ON Entities to secure the consents of certain interested, non-jurisdictional parties to the subject transaction. Your justification for having the Commission handle this material as confidential is that the information is proprietary financial information the disclosure of which would give competitors an unfair business advantage.

Based upon a review of the information, the Commission has determined that the information for which you seek confidential treatment is such as to be authorized to be withheld from public inspection under KRS 61.878 and Section 7 of 807 KAR 5:0001. The information has been determined to be of a confidential and proprietary nature, which if openly disclosed would permit an unfair commercial advantage to your client's competitors if publicly available from the Commission's records.

Therefore, the information requested to be treated as confidential meets the criteria for confidential protection and will be maintained as a non-public part of the Commission's file in this case. The proper procedure for usage of confidential materials during formal proceedings may be found in Section 7(8) of 807 KAR 5:001.

If the information becomes publicly available or no longer warrants confidential treatment, E.ON U.S. is required by 807 KAR 5:001, Section 7(9)(a), to inform the Commission so that the information may be placed in the public record.

Sincerely,



Jeff Derouen  
Executive Director

kg/

cc: Parties of Record



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Hon. Allyson K. Sturgeon  
E.ON U.S. LLC  
220 West Main Street  
Louisville, Kentucky 40202

Re: E.ON U.S.- Petition for Confidential Treatment received 11/07/08  
PSC Case No.: 2007-00455

Dear Counselors:

The Public Service Commission has received the Petition for Confidential Treatment you filed on November 07, 2008 on behalf of E.ON U.S. to protect certain information filed with the Commission as confidential under Section 7 of 807 KAR 5:001 and KRS 61.870 et. seq. The information you seek to have treated as confidential is identified as E.ON U.S.'s Responses to the Attorney General's Supplemental Request for Information Nos. 4, 10 and 1; Item 100 and Item Nos. 8, 10, 13, 14, 16, 20, 22, 24, 26, 28, 33, 36, 37, 41, 43, 46, 58 and 59. The information consists of resolution of four existing contract disputes; copies of communications regarding unwind transaction with Henderson Municipal Power and Light; E.ON/LEM's view of operating budgets, including costs and revenues; and confidential budget information concerning capital budgets. Your justification for having the Commission handle this material as confidential is that the information is proprietary financial information the disclosure of which would give competitors an unfair business advantage.

Based upon a review of the information, the Commission has determined that the information for which you seek confidential treatment is such as to be authorized to be withheld from public inspection under KRS 61.878 and Section 7 of 807 KAR 5:0001.

The information has been determined to be of a confidential and proprietary nature, which if openly disclosed would permit an unfair commercial advantage to your client's competitors if publicly available from the Commission's records.

Therefore, the information requested to be treated as confidential meets the criteria for confidential protection and will be maintained as a non-public part of the Commission's file in this case. The proper procedure for usage of confidential materials during formal proceedings may be found in Section 7(8) of 807 KAR 5:001.

If the information becomes publicly available or no longer warrants confidential treatment, E.ON U.S. is required by 807 KAR 5:001, Section 7(9)(a), to inform the Commission so that the information may be placed in the public record.

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E.ON U.S. LLC  
220 West Main Street  
Louisville, Kentucky 40202

Re: E.ON Entities - Petition for Confidential Treatment received 11/12/08  
PSC Case No.: 2007-00455

Dear Counselors:

The Public Service Commission has received the Petition for Confidential Treatment you filed on November 12, 2008 on behalf of E.ON Entities to protect certain information filed with the Commission as confidential under Section 7 of 807 KAR 5:001 and KRS 61.870 et. seq. The information you seek to have treated as confidential is identified as a November 7, 2008 update to documents presented to the parties in a March 20, 2008 representatives meeting and filed with the Commission on March 25, 2008 and April 21, 2008. The previously filed materials were granted confidential treatment by the Commission on June 9, 2008. The materials for which confidential treatment is sought are documents which include specific financial information of WKE and documents comparing financial issues of E.ON and affecting Big Rivers. Your justification for having the Commission handle this material as confidential is that the information is proprietary financial information the disclosure of which would give competitors an unfair business advantage.

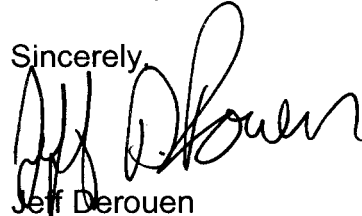
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