

421 West Main Street
Post Office Box 634
Frankfort, KY 40602-0634
[502] 223-3477
[502] 223-4124 Fax
www.stites.com

February 26, 2010

RECEIVED

HAND DELIVERED

FEB 26 2010

Mark R. Overstreet
(502) 209-1219
(502) 223-4387 FAX
moverstreet@stites.com

Jeff R. Derouen
Executive Director
Public Service Commission
211 Sower Boulevard
P.O. Box 615
Frankfort, KY 40602-0615

PUBLIC SERVICE
COMMISSION

RE: *P.S.C. Case No. 2009-00459 - Kentucky Power Company's Responses to Data Requests*

Dear Mr. Derouen:

Enclosed please find and accept for filing the original and ten copies of Kentucky Power Company's Responses to the following Data Requests:

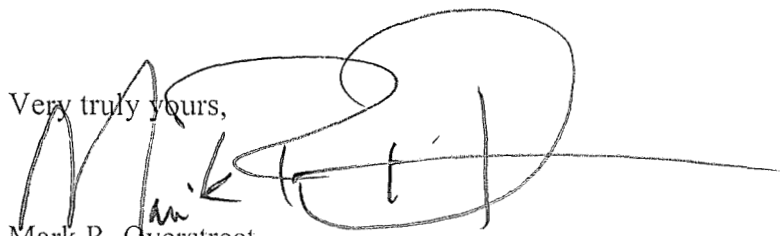
- (a) Second Data Requests by Commission Staff;
- (b) First Data Requests by Community Action Kentucky, Inc.;
- (c) Attorney General's Initial Requests for Information;
- (d) First Data Requests by Wal-Mart Stores East, LP. and Sam's East, Inc.; and
- (e) First Data Requests by Kentucky Industrial Utility Customers, Inc.

Also enclosed is the original and ten copies of the Company's Petition for Confidential Treatment of certain portions of the Company's Responses to the Attorney General's First Set, Nos. 47 and 51, and Kentucky Industrial Utility Customers, Inc. First Set, Nos. 15 and 17, along with a sealed envelope containing the unredacted responses for which confidential treatment is being sought.

Copies of the public Responses are being served on the persons below. In addition, copies of the Responses for which confidential treatment is being sought are being served on the Attorney General, counsel for Kentucky Industrial Utility Customers, Inc. and Mr. Kollen, in accordance with the non-disclosure agreement signed by each.

Please do not hesitate to contact me if you have any questions.

Jeff R. Derouen
February 26, 2010
Page 2

Very truly yours,

Mark R. Overstreet

cc: Holly Rachel Smith
Michael L. Kurtz
Dennis G. Howard II
Joe F. Childers
Richard Hopgood
Lane Kollen
Steve W. Chris

AFFIDAVIT

Renee Hawkins, first being duly sworn, states:

1. I am of the age of majority and competent to make this affidavit. I have personal knowledge of the matters set forth in this affidavit.

2. I am Managing Director of Corporate Finance, Accounting and Strategic Planning of the American Electric Power Service Corporation (AEPSC), AEP is the parent company of Kentucky Power Company (KPCo). I am familiar with the content of KPCo's filings in this case and the need to protect certain confidential and proprietary information attached to discovery responses.

3. I have specific personal knowledge of the confidential, proprietary, competitively sensitive and trade secret nature of the confidential information addressed in this Affidavit, including the forecasted and market-sensitive information. I gained this knowledge through direct contact with this information and through my investigation with other AEPSC and KPCo employees who work directly with the confidential information. I have personal knowledge of efforts taken by KPCo and AEPSC to maintain the secrecy of the confidential information through direct contact with these efforts and through my investigation of these efforts with other employees who work directly with these procedures. Finally, I have personal knowledge of through my investigation, along with other AEPSC and KPCo employees who work directly with the confidential information, of the effect the public disclosure of the confidential information would have on KPCo's competitive efforts in securing such contracts.

**Description of the Confidential Information for Which Protection
is Sought**

4. KPCo is requesting that certain information relating to the Company's market sensitive information to be included in the exhibits in responses to the Attorney General Discovery questions AG 1-47 and AG 1-51 be protected from public disclosure pursuant to KRS 61.878(1)(c)(1) (the "Confidential Information").

5. More specifically, the Confidential Information, included on the attachment to AG 1-47 includes projected financial market information including total operating revenues, total equity increases, and long-term debt issuance. These confidential company numbers are confidential as competitively sensitive and proprietary information. In response to AG 1-51, the attached documents include KPCo's projected and sensitive sales data by class, non-fuel operations and management costs, projected construction costs, and financial projections that are confidential, proprietary, competitively sensitive and trade secrets. The attachments also include the forecasted coal projections for KPCO.

**Public Disclosure Of The Information For Which Confidential
Treatment Is Sought Would Permit An Unfair Commercial Advantage**

6. This information is confidential as it represents forecasted, market-sensitive information that was intended solely for the consumption by the credit rating agencies, which operate under a confidentiality agreement with the Company. The Securities and Exchange Commission prohibits selective disclosure of financial information that this could violate. Release in this public forum could also result in an unfair advantage for certain capital market participants. Releasing projected balance sheet, income statement, and cash flow statement data could give an investor a competitive advantage over another because it provides the data provided to the bond rating agencies that is used in establishing corporate ratings. Knowledge of

this data could be used in the trading of the Company's publicly traded debt securities. The forecasted coal information for KPCo is competitively sensitive because it provides market participants and suppliers with KPCo's expected costs in securing the commodity. That puts KPCo and its customers at a disadvantage in negotiations for best pricing.

**The Information is Not Generally Known, Readily Ascertainable by
Proper Means by Other Persons Who Can Obtain Economic Value
from its Disclosure or Use**

11. The Confidential Information is not available or ascertainable by other parties through normal or proper means. No reasonable amount of independent research could yield this information to other parties.

**The Information is the Subject of Efforts Reasonable Under The
Circumstances to Maintain Its Secrecy**

12. The Confidential Information has been the subject of efforts that are reasonable under the circumstances to maintain its secrecy. KPCo and AEPSC limit public access to buildings housing the Confidential Information by use of security guards. Persons not employed by KPCo and AEPSC who are allowed past security guards at buildings where Confidential Information is kept are not permitted to walk within such buildings without an escort. KPCo's and AEPSC's files containing the Confidential Information are maintained separately from KPCo's and AEPSC's general records and access to those files is restricted. Within KPCo and AEPSC, access to this information has been and will continue to be disclosed only to those employees, officers and representatives of KPCo and AEPSC who have a need to know about such information due to their job and management responsibilities. Outside KPCo and AEPSC, this information is only provided to certain persons confidentially or who have a legitimate need to review the information to participate in this Cause and who sign a confidentiality agreement.

13. Further the Affiant sayeth nothing more.

A handwritten signature in black ink, appearing to read 'Renee V. Hawkins', written over a horizontal line.

Renee V. Hawkins
Managing Director -Corporate Finance, Accounting
and Strategic Planning
American Electric Power Service Corporation

STATE OF OHIO)
) SS:
COUNTY OF FRANKLIN)

Subscribed and sworn to before me, a Notary Public, in and for said County and State this
25th day of February 2010.



Notary Public

I am a resident of Franklin County, Ohio

SCOTT E. MOURSE, Attorney At Law
NOTARY PUBLIC, STATE OF OHIO
My commission has no expiration date.
S.E. 14177 RD.

AFFIDAVIT

Scott C. Weaver, first being duly sworn, states:

1. I am of the age of majority and competent to make this affidavit. I have personal knowledge of the matters set forth in this affidavit.

2. I am Managing Director-Resource Planning and Operational Analysis of the American Electric Power Service Corporation (AEPSC). AEP is the parent company of Kentucky Power Company (KPCo). I am familiar with the content of KPCo's filings in this case and the need to protect certain confidential and proprietary information attached to discovery responses.

3. I have specific personal knowledge of the confidential, proprietary, competitively sensitive and trade secret nature of the confidential information addressed in this Affidavit, including the pricing contained in wind purchase power agreements and negotiated terms and net energy costs incurred by KPCo. I gained this knowledge through direct contact with this information and through my investigation with other AEPSC and KPCo employees who work directly with the confidential information. I have personal knowledge of efforts taken by KPCo and AEPSC to maintain the secrecy of the confidential information through direct contact with these efforts and through my investigation of these efforts with other employees who work directly with these procedures. Finally, I have personal knowledge, through my investigation, along with other AEPSC and KPCo employees who work directly with the confidential information, of the effect the public disclosure of the confidential information would have on KPCo's competitive efforts in securing such contracts.

**Description of the Confidential Information for Which Protection
is Sought**

4. KPCO is requesting that certain information related to the Wind PPA and other confidential information to be referred to in KPCo's discovery responses to the Kentucky Industrials Utilities Customers (KIUC) in attachments to answers in this Cause to be protected from public disclosure pursuant to KRS 61.878(1)(c)(1) (the "Confidential Information").

5. More specifically, the Confidential Information, included on the attachment in response to KIUC 1-15, is the price per MWh to be paid under a wind purchased power as compared to internal estimated installed cost, transmission costs, the full load heat rate, variable O&M and fixed O&M of natural gas combined cycle and combustion turbine alternatives. Each of these figures provides KPCo competitive assumptions and/or negotiated contract terms that are confidential as proprietary information. In response to KIUC 1-17, which requests the underlying data to previously filed SCW-3, KPCo includes an attachment that includes all the underlying assumptions relied upon to produce Exhibit SCW-3. The Commission granted confidential protection to SCW-3 in an Order entered on February 24, 2010. The underlying data comprising the confidential items used to create the protected exhibit, including the wind contract's costs, KPCo's estimated cost of RECs, and other negotiated commercial terms underlying the protected information from the wind contract are confidential, proprietary, competitively sensitive and trade secrets.

**Public Disclosure Of The Information For Which Confidential
Treatment Is Sought Would Permit An Unfair Commercial Advantage
To Kentucky Power's Competitors**

6. As evidenced by the Commission's previous protection of this type of information, the market for renewable energy purchase power agreements is extremely

competitive. There are multiple sellers of renewable energy seeking the highest prices for their capacity and energy. Likewise, with the advent of renewable portfolio standards in many states, KPCo and its affiliates face strong and growing competition for the most advantageous agreements. The price and other financial terms of such agreements typically are the terms most vigorously negotiated by suppliers and purchasers.

7. KPCo and its affiliates may negotiate similar contracts with other suppliers in the future. If the price and underlying terms included in the wind contract became publicly known or available, parties with which KPCo and its affiliates may negotiate could use this knowledge to the detriment of KPCo, its customers, and affiliates. Knowledge of these terms by other potential suppliers would establish certain benchmarks in future negotiations, thereby potentially increasing costs incurred by customers of KPCo and its affiliates. In other words, other suppliers would insist on the same or better terms as those negotiated in this purchase agreement. Furthermore, knowledge of the provisions by potential power supply competitors could enable them to gain an unfair advantage in future competitive situations. Finally, the Confidential Information also could be used by other purchasers competing for such contracts to “cherry-pick” the most favorable contracts, thereby depriving Kentucky Power of the ability to obtain the most advantageous prices for its customers. In sum, the public disclosure of the information for which confidential treatment is sought will result in KPCo and FPLEWIC’s competitors gaining an unfair commercial advantage.

8. In negotiating renewable energy purchase power agreements, AEPSC and KPCo seek to obtain the lowest reasonable cost for the Company’s customers. Suppliers, on the other hand, are interested in obtaining the highest price possible for their commodity. Making the

Company's analysis with regards to renewable energy acquisition or other competitively sensitive information available to the suppliers with which the Company is negotiating compromises the ability of AEPSC and KPCo to obtain the lowest reasonable cost for customers.

9. Renewable Energy Certificates (RECs) are tradable, non-tangible energy commodities in the United States that represent proof that 1 MWh of electricity was generated from an eligible renewable energy resource. The trading of RECs is not price-regulated and is subject to substantial competition. As more states impose Renewable Portfolio Standards, the price competition with respect to RECs is expected to intensify.

10. The public disclosure of the Confidential Information, including that included in the attachments responding to KIUC 1-15 and KIUC 1-17, will impede the ability of KPCo and AEPSC to obtain the lowest reasonable cost for KPCo's customers by discouraging bidders from submitting bids because of concern that confidential terms will become public knowledge. It also will affect the ability of KPCo to obtain the most advantageous price for RECs it buys and sells in public markets. As such, the public dissemination of the Confidential Information will provide an unfair economic advantage to KPCo's competitors.

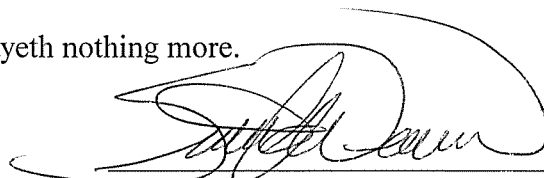
The Information is Not Generally Known, Readily Ascertainable by Proper Means by Other Persons Who Can Obtain Economic Value from its Disclosure or Use

11. The Confidential Information is not available or ascertainable by other parties through normal or proper means. No reasonable amount of independent research could yield this information to other parties.

**The Information is the Subject of Efforts Reasonable Under The
Circumstances to Maintain Its Secrecy**

12. The Confidential Information has been the subject of efforts that are reasonable under the circumstances to maintain its secrecy. KPCo and AEPSC limit public access to buildings housing the Confidential Information by use of security guards. Persons not employed by KPCo and AEPSC who are allowed past security guards at buildings where Confidential Information is kept are not permitted to walk within such buildings without an escort. KPCo's and AEPSC's files containing the Confidential Information are maintained separately from KPCo's and AEPSC's general records and access to those files is restricted. Within KPCo and AEPSC, access to this information has been and will continue to be disclosed only to those employees, officers and representatives of KPCo and AEPSC who have a need to know about such information due to their job and management responsibilities. Outside KPCo and AEPSC, this information is only provided to certain persons who have a legitimate need to review the information to participate in this Cause and who sign a confidentiality agreement.

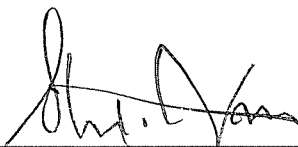
13. Further the Affiant sayeth nothing more.



Scott C. Weaver
Managing Director-Resource Planning
and Operational Analysis
American Electric Power Service Corporation

STATE OF OHIO)
) SS:
COUNTY OF FRANKLIN)

Subscribed and sworn to before me, a Notary Public, in and for said County and State this
25th day of February 2010.



Notary Public

I am a resident of Franklin County, Ohio

[Faint, illegible text]

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED
FEB 26 2010
PUBLIC SERVICE
COMMISSION

In the Matter of:

THE APPLICATION OF KENTUCKY)
POWER FOR A GENERAL ADJUSTMENT) Case No. 2009-00459
OF ITS RATES)

* * * * *

MOTION FOR CONFIDENTIAL TREATMENT

Kentucky Power Company ("Kentucky Power" or "the Company" or "KPCo"), moves the Commission pursuant to KRS 61.878(1)(c)(1) and 807 KAR 5:001, Section 7, for an Order granting confidential treatment to information contained within documents included in responses to data requests issued by Kentucky Industrial Utility Customers (KIUC 1-15 and KIUC 1-17) and the Attorney General (AG 1-47 and AG 1-51). In support of its Motion for Confidential Treatment Kentucky Power states:

1. The information for which confidential treatment is being sought ("Confidential Information") is:

(a) The redacted portions of a graph and supporting data to form a comparison of wind costs to an internal estimated installed cost, transmission costs, the full load heat rate, variable O&M and fixed O&M of natural gas combined cycle and combustion turbine alternatives. (KIUC 1-15)

(b) The redacted portions of the underlying assumptions and data used to create exhibit SCW-3 in this case, an exhibit already granted confidential treatment by the Commission. (KIUC 1-17)

(c) The redacted portions of presentations made by KPCo to rating agencies and/or investment firms that relate to projected financial market information including total operating revenues, total equity increases, and long-term debt issuance. (AG 1-47)

(d) The redacted portions of certain correspondence between KPCo and bond rating agencies that include KPCo's projected and sensitive sales data by class, non-fuel operations and management costs, projected construction costs, and financial projections. Another correspondence includes the confidential forecasted coal projections for KPCo. (AG 1-51)

2. Pursuant to 807 KAR 5:001, Section, 7, an original of the exhibits for which confidential treatment is sought is filed under seal with this motion. In addition, ten redacted copies of the exhibits are filed with this motion.

3. In accordance with an executed confidentiality agreement Kentucky Power also provided unredacted copies of the documentation to Kentucky Industrial Utility Customers and the office of the Attorney General.

Statutory Standard

4. KRS 61.878(1)(c)(1) excludes from the public disclosure requirements of the Open Records Act:

"[r]ecords confidentially disclosed to an agency or required by an agency to be disclosed to it, generally recognized as confidential or proprietary, which if openly disclosed would present an unfair commercial advantage to competitors of the entity that disclosed the records.

The information for which confidential treatment is sought in this motion satisfies this exception.

The Information Is Generally Recognized As Confidential And Proprietary

5. As Scott Weaver and Renee Hawkins testify in the attached affidavits, the Confidential Information is generally considered confidential and proprietary. Affidavit of Scott C. Weaver at ¶ 5 (“Weaver Affidavit”); Affidavit of Renee V. Hawkins at ¶ 5 (“Hawkins Affidavit”). The Confidential Information is not available to, or ascertainable by, persons outside Kentucky Power or American Electric Power Service Corporation (“AEPSC”) by proper means other than on a confidential basis. Weaver Affidavit at ¶11; Hawkins Affidavit at ¶11. Indeed, the Confidential Information derives economic value from the fact it is not generally known to persons who can obtain value from its disclosure. Weaver Affidavit at ¶11; Hawkins Affidavit at ¶11.

7. In light of the confidential and proprietary nature of the information, AEPSC and Kentucky Power take all reasonable efforts to protect it from public disclosure. Weaver Affidavit at ¶12; Hawkins Affidavit at ¶12.. Among the measures taken are limiting access to the information within the Companies to only those persons with a legitimate need to access the information, protecting against disclosure outside the Companies, and entering into confidentiality agreements to protect against disclosure by persons outside the Companies who are afforded access for legitimate purposes. Id.

Disclosure Of The Confidential Information Will Result in An Unfair Competitive Advantage To The Competitors Of Kentucky Power and Disrupt Financial Markets

8. The Confidential Information, if disclosed to competitors of Kentucky Power, or otherwise made publicly available, would provide an unfair competitive advantage to competitors of Kentucky Power. The Confidential Information therefore is entitled to protection

from disclosure by the Commission. Specifically, the public disclosure of the Confidential Information would:

- (a) Provide the public KPCo's competitive assumptions and/or negotiated contract terms concerning a natural gas combined cycle and combustion turbine.
- (b) Establish certain benchmarks in future negotiations, thereby potentially increasing costs incurred by customers of KPCo and its affiliates. Weaver Affidavit at ¶7.
- (c) Permit other purchasers to benefit from Kentucky Power's efforts in negotiating the REPA and "cherry-pick" the most advantageous contracts and terms to Kentucky Power's competitive disadvantage. Weaver Affidavit at ¶ 7.
- (d) Impede the ability of KPCo and AEPSC to obtain the most advantageous price for Renewable Energy Certificates it buys and sells. Weaver Affidavit at ¶10.
- (e) Provide an unfair advantage for certain market participants by giving one investor an advantage over another due to the knowledge of the underlying data provided by a publicly traded company to the bond rating agencies that is used in establishing corporate ratings. The data could be used in the trading of Company's publicly traded debt securities. Hawkins Affidavit at ¶6.
- (f) Expose KPCo and releasing parties to Security Exchange Commission prohibitions against selective disclosure of financial information. Hawkins Affidavit at ¶6.

(g) Put KPCo and its customers at a disadvantage on securing a favorable price in negotiations with respect to its coal purchases by providing market participants with KPCo's expected costs.

9. The Commission already granted a similar request to protect the information included in the response to KIUC 1-15 and KIUC 1-17. The Commission issued the order on February 24, 2010, finding that the information in that filing is proprietary and that public disclosure would permit an unfair commercial to Kentucky Power's competitors. The confidential Exhibit SCW-3 includes the same information at issue in the responses to KIUC's questions. One of the two questions simply seeks the underlying data for the confidential exhibit.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bruce F. Clark", written over a horizontal line.

Bruce F. Clark
Mark R. Overstreet
R. Benjamin Crittenden
STITES & HARBISON PLLC
421 West Main Street
P.O. Box 634
Frankfort, Kentucky 40602-0634
Telephone: (502) 223-3477

Steven T. Nourse (Admitted *Pro Hac Vice*)
Matthew J. Satterwhite (Admitted *Pro Hac Vice*)
American Electric Power Service Corporation
One Riverside Plaza
P.O. Box 16631
Columbus, Ohio 43215

COUNSEL FOR KENTUCKY POWER
COMPANY

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing MOTION FOR CONFIDENTIAL TREATMENT was served by first class mail, postage prepaid, upon the following parties of record, this 26th day of February, 2010.

Michael L. Kurtz
David F. Boehm
Boehm, Kurtz & Lowry
2110 CBLD Center
36 East Seventh Street
Cincinnati, OH 45202

Dennis Howard II
Lawrence W. Cook
Assistant Attorney General
Office of Rate Intervention
P.O. Box 2000
Frankfort, KY 40602-2000

Richard Hopgood
Wyatt, Tarrant & Combs, LLP
250 West Main Street
Suite 1600
Lexington, KY 40507-1746

Holly Rachel Smith
Hitt Business Center
3803 Rectortown Road
Marshall, VA 20115

Joe F. Childers
Getty & Childers
1900 Lexington Financial Center
250 West Main Street
Lexington, KY 40507

A handwritten signature in black ink, appearing to read 'Mark R. Overstreet', written over a horizontal line.

Mark R. Overstreet