Steven L. Beshear Governor

Leonard K. Peters Secretary Energy and Environment Cabinet



Commonwealth of Kentucky **Public Service Commission** 211 Sower Blvd. P.O. Box 615 Frankfort, Kentucky 40602-0615 Telephone: (502) 564-3940 Fax: (502) 564-3460 psc.ky.gov

December 3, 2010

Mathis, Riggs & Prather Attention: Donald T. Prather 500 Main Street, Suite 5 Shelbyville, Kentucky 40065

Re: Shelby Energy Cooperative, Inc. Petition for Confidential Protection received 11/2/10 PSC Reference #: 2010-00244

Dear Mr. Prather:

The Public Service Commission has received the Petition for Confidential Protection you filed on November 2, 2010 on behalf of Shelby Energy Cooperative, Inc., ("Shelby"), to protect certain information filed with the Commission as confidential pursuant to Section 7 of 807 KAR 5:001 and KRS 61.878. The information you seek to have treated as confidential is identified as being contained in Shelby's Exhibit C to its Response to Commission First Data Request. The information is more particularly described as the redacted portion of Exhibit C described as the unit and total dollar amounts of bidding parties.

Your justification for having the Commission handle this material as confidential is that the public disclosure of the information would compromise Shelby's competitive position in the industry, which would result in an unfair commercial advantage to its competitors.

Based on a review of the information and pursuant to KRS 61.878 and 807 KAR 5:001, Section 7, the Commission has determined that the information requested to be held confidential is of a proprietary nature, which if publicly disclosed would permit an unfair commercial advantage to Shelby's competitors. Therefore, the information requested to be treated as confidential **meets the criteria for confidential protection** and will be maintained as a nonpublic part of the Commission's file in this case. The procedure for usage of confidential materials during formal proceedings may be found at Section 7(8) of 807 KAR 5:001.

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David L. Armstrong Chairman

James W. Gardner Vice Chairman

Charles R. Borders Commissioner

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If the information becomes publicly available or no longer warrants confidential treatment, Shelby Energy Cooperative, Inc. is required by Section 8(9)(a) of 807 KAR 5:001 to inform the Commission so that the information may be placed in the public record.

Sincerely, ecutive Director

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cc: Parties of Record