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David L. Armstrong  
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April 25, 2012

Sullivan, Mountjoy, Stainback & Miller  
Attention: Tyson Kamuf  
100 St. Ann Street  
P.O. Box 727  
Owensboro, Kentucky 42302-0727

Re: Big Rivers Electric Corporation  
Petition for Confidential Treatment received 3/15/12  
PSC Reference – Case No. 2011-00487

Dear Mr. Kamuf:


The Public Service Commission has received the Petition for Confidential Treatment you filed on March 15, 2012 on behalf of Big Rivers Electric Corporation (“Big Rivers”) 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 a portion of Big Rivers’ Response to Hearing Data Request of March 9, 2012, Item 2. The information is described as a list of future scheduled outages at each generating unit and the projected duration of each outage.

Your justification for having the Commission handle this material as confidential is that the public disclosure of the information could result in an unfair commercial advantage to 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 Big Rivers’ 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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If the information becomes publicly available or no longer warrants confidential treatment, Big Rivers Electric Corporation 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,  
  
Jeff Derouen  
Executive Director

kg/

cc: Parties of Record