

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; (3) APPROVAL OF ACCOUNTING	)	CASE NO.
PRACTICES TO ESTABLISH REGULATORY	)	2020-00174
ASSETS AND LIABILITIES; (4) APPROVAL OF	)	
A CERTIFICATE OF PUBLIC CONVENIENCE	)	
AND NECESSITY; AND (5) ALL OTHER	)	
REQUIRED APPROVALS AND RELIEF	)	

ORDER

On September 10, 2020, Kentucky Power Company (Kentucky Power) filed a motion, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878, requesting that the Commission grant confidential protection for ten years for Kentucky Power's response to the Attorney General of the Commonwealth of Kentucky, by and through the Office of Rate Intervention, and Kentucky Industrial Utility Customers, Inc.'s joint First Request for Information (Attorney General/KIUC's First Request), Item 97, Attachment 16. The designated material contains negotiated labor rates for Kentucky Power's affiliate Appalachian Power Company.

As a basis for the motion, Kentucky Power asserted that the designated material is subject to confidentiality in a pending rate case filed by Appalachian Power Company with the State Corporation Commission of Virginia, SCC Case No. PUR-2020-00015. Kentucky Power further asserted that public disclosure would result in commercial harm because the wage rate information is competitively useful to other bargaining units and

third party contractors and could result in higher costs for Kentucky Power and its rate payers.

Having considered the motion and the material at issue, the Commission finds that the designated material is generally recognized as confidential or proprietary, and therefore meets the criteria for confidential treatment and is exempted from public disclosure pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(c)(1).

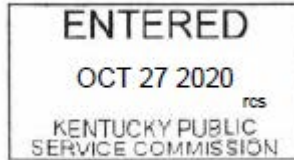
IT IS THEREFORE ORDERED that:

1. Kentucky Power's September 10, 2020 motion for confidential protection is granted.
2. The designated information shall not be placed in the public record or made available for public inspection for ten years, or until further Order of this Commission.
3. Use of the designated material granted confidential treatment by this Order in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).
4. Kentucky Power shall inform the Commission if the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment.
5. If a nonparty to this proceeding requests to inspect the material granted confidential treatment by this Order and the period during which the material has been granted confidential treatment has not expired, Kentucky Power shall have 30 days from receipt of written notice of the request to demonstrate that the material still falls within the exclusions from disclosure requirements established in KRS 61.878. If Kentucky Power is unable to make such demonstration, the requested material shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

6. The Commission shall not make the requested material available for inspection for 30 days from the date of service of an Order finding that the material no longer qualifies for confidential treatment in order to allow Kentucky Power to seek a remedy afforded by law.

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By the Commission



ATTEST:



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Deputy Executive Director

Case No. 2020-00174

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