

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC TARIFF FILING OF KENTUCKY)	
POWER COMPANY OF A COGENERATION/)	CASE NO.
SMALL POWER PRODUCTION AGREEMENT)	2020-00422
WITH INEZ POWER, LLC)	

ORDER

On December 16, 2020, Kentucky Power Company (Kentucky Power) filed a motion, pursuant to KRS 61.878 and 807 KAR 5:001, Section 13, requesting that the Commission grant confidential treatment for an indefinite period for Exhibit A of the Cogeneration/Small Power Production Agreement between Kentucky Power and Inez Power, LLC (Inez Power), which includes customers account numbers for customers of Inez Power.

In support of its motion, Kentucky Power contends that, pursuant to KRS 61.878(1)(a), the account numbers of utility customers are exempt from disclosure, because public disclosure “would constitute a clearly unwarranted invasion of personal privacy.” According to Kentucky Power, both companies have taken reasonable measures to prevent the disclosure of the designated confidential information from public disclosure. These measures apply to the general public as well as employees of Kentucky Power or Inez Power who do not have a legitimate business need to know the information.

Having considered the motion and the material at issue, the Commission finds that the customer account numbers for Inez Power, which are identified as Exhibit A in the

above-referenced filing, are generally recognized as confidential or proprietary; it 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)(a).

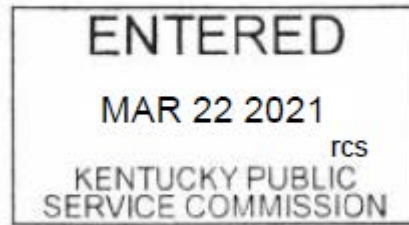
IT IS THEREFORE ORDERED that:

1. Kentucky Power's motion for confidential treatment is granted.
2. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for an indefinite period or until further Order of this Commission.
3. Use of the designated material granted confidential treatment by this Order in any Commission proceeding shall comply 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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Executive Director

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