

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC JOINT APPLICATION OF)	
AMERICAN ELECTRIC POWER COMPANY, INC.,)	
KENTUCKY POWER COMPANY, AND LIBERTY)	CASE NO.
UTILITIES CO. FOR APPROVAL OF THE)	2021-00481
TRANSFER OF OWNERSHIP AND CONTROL OF)	
KENTUCKY POWER COMPANY)	

ORDER

On February 14, 2022, American Electric Power Company, Inc. (AEP), Kentucky Power Company (Kentucky Power), and Liberty Utilities Co. (Liberty) (collectively, Joint Applicants) filed a motion, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878, requesting that the Commission grant confidential treatment for an indefinite period for requests and responses in Attorney General’s Supplemental Request for Information (Attorney General’s Supplemental Request) and responses to Kentucky Industrial Utility Customer’s Supplemental Request for Information (KIUC’s Supplemental Request).

In support of its motion, the Joint Applicants argued that Attorney General’s Supplemental Request Items 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, and 41 contain information in the request that has been found confidential in previous Orders in this case and therefore the requests should be granted confidential protection in addition to the responses. The Joint Applicants stated the responses should be held confidential because the information provided relates to the deliberations of the Liberty and Algonquin Boards of Directors and due diligence reports. The Joint Applicant’s stated KIUC’s Supplemental Request Item 34 also required information relating to the due diligence

reports. The Joint Applicants argued information regarding the Boards of Directors deliberations and the due diligence reports have already been granted confidential protection in these proceedings because the information is confidential and proprietary under KRS 61.878(1)(c)(1).

Additionally, the Joint Applicants requested the response to KIUC's Supplemental Request Item 40 be granted confidential protection. The response contains a credit opinion by Moody's Investor Service. The Joint Applicants stated this information has previously been granted confidential protection in these proceedings because the information is confidential of proprietary under KRS 61.878(1)(c)(1).

Having considered the motion and the material at issue, the Commission finds that the requests and responses to Attorney General's Supplemental Request Items 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, and 41 and the responses to KIUC's Supplemental Request Items 34 and 40 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)(c)(1).

IT IS THEREFORE ORDERED that:

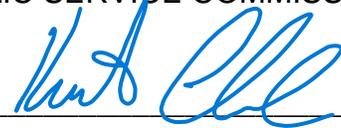
1. The Joint Applicants' motion for confidential treatment is granted.
2. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for an indefinite period or until further Order of this Commission.
3. Use of the designated material granted confidential treatment by this Order in any Commission proceeding shall comply with 807 KAR 5:001, Section 13(9).

4. The Joint Applicants shall inform the Commission if the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment.

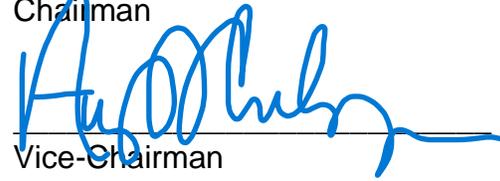
5. If a nonparty to this proceeding requests to inspect the material granted confidential treatment by this Order and the period during which the material has been granted confidential treatment has not expired, the Joint Applicants shall have 30 days from receipt of written notice of the request to demonstrate that the material still falls within the exclusions from disclosure requirements established in KRS 61.878. If Joint Applicants are 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 to allow Joint Applicants to seek a remedy afforded by law.

PUBLIC SERVICE COMMISSION



Chairman



Vice-Chairman

Commissioner



ATTEST:



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