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16 August 2012

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PUBLIC SERVICE
COMMISSION

Via hand-delivery

Jeff R. Derouen, Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, Kentucky 40601

RE: Kentucky PSC Case No. 2012-00133

Dear Mr. Derouen:

In response to the Commission Staff request by electronic mail message to this Office on 13 August 2012, the Attorney General notes the following with regard to certain confidential information. In Case No. 2012-00133, the Attorney General in his supplemental request for information made reference to certain (Hart-Scott-Rodino (HSR) Act) material for which confidential protection was sought and obtained by the Joint Applicants.

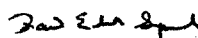
With regard to the source of the redacted material, in the Attorney General's first request for information HSR notice and filing material was sought through items OAG 1 - 17 and OAG 1 - 18. With regard to the HSR filing material serving as the foundation for the supplemental requests, that information was sought through OAG 1 - 18. The request under Item OAG 1 - 18 includes a note to the Joint Applicants that making the material available for inspection is an acceptable approach. The Joint Applicants sought confidential treatment for the HSR material through a filing on 20 June 2012. The Joint Applicants made the HSR material available and the material was inspected on 26 June 2012. On 14 August 2012, the Commission by letter, granted confidential protection to the HSR Act filings.



Further, the source of the redacted material upon which OAG 2 – 4, OAG 2- 5, and OAG 2 – 6 are based is the HSR material made available for inspection by the Joint Applicants in response to Item 18 of the Attorney General's first request for information. In terms of the source documents for the questions, each question contains a specific reference to each source document in the HSR material, and these references are incorporated by reference in this letter in that they appear in the non-redacted version of the Attorney General's supplemental request for information provided to the PSC under seal. (In passing, the OAG is not in control or possession of the HSR material.)

If you need any additional information, then please advise at your convenience.

Cordially,


David Edward Spenard
Jennifer Black Hans
Assistant Attorneys General

cc: Todd Osterloh (by electronic mail message)
Gerald Wuetcher (by hand-delivery)