

March 31, 2020

VIA E-MAIL & HAND DELIVERY

Mr. Kent Chandler
Executive Director
Kentucky Public Service Commission
P.O. Box 615
211 Sower Boulevard
Frankfort, KY 40602

RECEIVED

MAR 31 2020

**PUBLIC SERVICE
COMMISSION**

bsb

RE: 2019 Annual Report on the Interruptible Power Agreement for the AGC
Automotive Americas – Request for Confidential Treatment

Dear Mr. Chandler:

Attached, please find for filing with the Commission the information required to be filed by East Kentucky Power Cooperative, Inc. regarding the prior calendar year's interruptions of AGC Automotive Americas ("AGC") pursuant to ordering paragraph 2 of the Commission's March 14, 2016, Order in Case No. 2015-00422, *In the Matter the Application of East Kentucky Power Cooperative, Inc. for the Approval of a Special Contract*. In accordance with KRS 61.878, 807 KAR 5:001, Section 13(3) and other applicable law, EKPC hereby respectfully requests that certain portions of the cost savings data be classified as confidential for a period of ten (10) years from the date of this filing, for the specific reasons set forth below.

The Kentucky Open Records Act exempts from disclosure certain commercial information. See KRS 61.878(1)(c). To qualify for this exemption from public disclosure and, therefore, to maintain the confidentiality of the information, a party must establish that disclosure of the commercial information would permit an unfair advantage to competitors of that party. Public disclosure of the Confidential Information identified herein would, in fact, prompt such results.

Disclosure of the interruptions, AGC would permit EKPC's competitors to have an unfair commercial advantage. The information provided under seal discloses sensitive and proprietary information as these amounts are internally-derived by EKPC in order to provide service to its customers at fair, just and reasonable rates and would give competitors sensitive information about EKPC's interaction with AGC. Maintaining the confidentiality of this information is necessary to protect the interests of EKPC, AGC, and the remainder of EKPC's Members. The public disclosure of the contract-specific information would reveal information that is, quite obviously, highly sensitive, commercially valuable and strictly proprietary - potentially harming EKPC's competitive position in the marketplace, to the detriment of EKPC and its Members.

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The Confidential Information contained in this data was developed internally by EKPC personnel, is not on file with any public agency, and is not available from any commercial or other source. The aforementioned Confidential Information in the cost savings data is distributed within EKPC only to those employees who must have access for business reasons, and is generally recognized as confidential and proprietary in the energy industry. The Confidential Information for which EKPC is seeking confidential treatment is not known outside of EKPC and the other parties to the special contract. This Confidential Information was, and remains, integral to EKPC's effective execution of business decisions and strategy. Such information is generally regarded as confidential or proprietary. Indeed, as the Kentucky Supreme Court has found, "information concerning the inner workings of a corporation is 'generally accepted as confidential or proprietary.'" *Hoy v. Kentucky Industrial Revitalization Authority*, 907 S.W.2d 766, 768 (Ky. 1995).

The enclosed information is also entitled to confidential treatment because it constitutes a trade secret under the two-prong test of KRS 365.880: (a) the economic value of the information is derived from not being readily ascertainable by other persons who can obtain economic value by its disclosure; and (b) the information is the subject of efforts that are reasonable under the circumstances to maintain its secrecy. The economic value of the information is derived by EKPC maintaining the confidentiality of the information since competitors and entities with whom EKPC transacts business could obtain economic value by its disclosure.

In accordance with 807 KAR 5:001, Section 13(3), I am enclosing: (1) one copy of the data, under seal, which identifies the confidential material; and (1) one copy of the data in which the confidential material is redacted. Please return a file-stamped copy of this filing to my office.

Please let me know if you have any questions.

Sincerely,



David S. Samford

*Counsel for East Kentucky Power
Cooperative, Inc.*

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Annual Report of Interruptible Service to AGC Automotive Americas - For 2

Interruptions			
Date of Interruption	Type of Interruption	Start Time (HE)	End Time (HE)
1/31/2019	Economic	9:00	12:00
9/11/2019	Economic	16:00	18:00
9/12/2019	Economic	16:00	18:00
9/30/2019	Economic	17:00	18:00
10/1/2019	Economic	15:00	19:00
10/2/2019	Economic	15:00	19:00
10/3/2019	Economic	16:00	19:00
11/13/2019	Economic	8:00	10:00
Total Estimated Cost Savings to EKPC during Interruptions			

RPM Capacity Market Value

	Total value of DR from January 1, 2019 through May 31,
	Total value of DR from June 1, 2019 through December :
	Total value of DR from January 1, 2019 through Decemb

2019 Calendar Year

Estimated Cost Savings to EKPC during Interruption	Did AGC Exercise the Buy-Through Option during Economic
[REDACTED]	Yes
[REDACTED]	Yes
[REDACTED]	Yes
[REDACTED]	Yes
[REDACTED]	Yes
[REDACTED]	Yes
[REDACTED]	Yes
[REDACTED]	Yes
[REDACTED]	[REDACTED]

[REDACTED]

2019.

[REDACTED]

1, 2019.

er 1, 2019.

AGC Automotive Buy Through Activity for Jan 2019

Date	HR Ended	D/A MWH Less		D/A Energy Charge	Actual MWh	Contract Firm MWh	Buy Through R/T MWh	R/T EK Hub	R/T Energy Charge	Total Energy Charge	AGC
		D/A MWH	Firm								D/A EK Rate
1/31/2019	9			\$ 125.01				\$ 48.19			
	10			\$ 101.90				\$ 70.77			
	11			\$ 99.77				\$ 87.79			
	12			\$ 86.19				\$ 62.69			
Total											
				MWh over firm						Energy Charge / MWh above firm (\$/MWh)	
										Total Energy Charge	
										Contract Rate (\$/MWh)	
										Contract Rate * MWh above firm (\$/MWh)	
										Estimated Cost Savings to EKPC during Interruption	

AGC Automotive Buy Through Activity for Sep 2019

AGC

Date	HR Ended	D/A MWH	D/A MWH Less Firm	D/A EK Rate	D/A Energy Charge	Actual MWh	Contract Firm MWh	Buy Through R/T MWh	R/T EK Hub	R/T Energy Charge	Total Energy Charge	Total Energy Rate
9/11/2019	16			\$ 59.83					\$ 91.33			
	17			\$ 68.68					\$ 71.63			
	18			\$ 57.83					\$ 81.54			

Total												
					MWh over firm						Energy Charge / MWh above firm (\$/MWh)	
											Total Energy Charge	
											Contract Rate (\$/MWh)	
											Contract Rate * MWh above firm (\$/MWh)	
											Estimated Cost Savings to EKPC during Interruption	

Date	HR Ended	D/A MWH	D/A MWH Less Firm	D/A EK Rate	D/A Energy Charge	Actual MWh	Contract Firm MWh	Buy Through R/T MWh	R/T EK Hub	R/T Energy Charge	Total Energy Charge	Total Energy Rate
9/12/2019	16			\$ 62.12					\$ 153.61			
	17			\$ 69.63					\$ 226.86			
	18			\$ 56.90					\$ 54.62			

Total												
					MWh over firm						Energy Charge / MWh above firm (\$/MWh)	
											Total Energy Charge	
											Contract Rate (\$/MWh)	
											Contract Rate * MWh above firm (\$/MWh)	
											Estimated Cost Savings to EKPC during Interruption	

Date	HR Ended	D/A MWH	D/A MWH Less Firm	D/A EK Rate	D/A Energy Charge	Actual MWh	Contract Firm MWh	Buy Through R/T MWh	R/T EK Hub	R/T Energy Charge	Total Energy Charge	Total Energy Rate
9/30/2019	17			\$ 67.85					\$ 67.33			
	18			\$ 57.82					\$ 83.61			

Total												
					MWh over firm						Energy Charge / MWh above firm (\$/MWh)	
											Total Energy Charge	

AGC Automotive Buy Through Activity for Oct 2019

AGC

Date	HR Ended	D/A MWH	D/A MWH Less Firm	D/A EK Rate	D/A Energy Charge	Actual MWh	Contract Firm MWh	Buy Through R/T MWh	R/T EK Hub	R/T Energy Charge	Total Energy Charge	Total Energy Rate
10/1/2019	15			\$ 54.37					\$ 766.86			
	16			\$ 66.06					\$ 795.36			
	17			\$ 80.89					\$ 394.58			
	18			\$ 71.65					\$ 470.95			
	19			\$ 46.47					\$ 28.70			

Total												
					MWh over firm						Energy Charge / MWh above firm (\$/MWh)	
											Total Energy Charge	
											Contract Rate (\$/MWh)	
											Contract Rate * MWh above firm (\$/MWh)	
											Estimated Cost Savings to EKPC during Interruption	

Date	HR Ended	D/A MWH	D/A MWH Less Firm	D/A EK Rate	D/A Energy Charge	Actual MWh	Contract Firm MWh	Buy Through R/T MWh	R/T EK Hub	R/T Energy Charge	Total Energy Charge	Total Energy Rate
10/2/2019	15			\$ 81.71					\$ 67.74			
	16			\$ 113.69					\$ 202.53			
	17			\$ 137.77					\$ 281.21			
	18			\$ 112.71					\$ 153.38			
	19			\$ 62.34					\$ 47.54			

Total												
					MWh over firm						Energy Charge / MWh above firm (\$/MWh)	
											Total Energy Charge	
											Contract Rate (\$/MWh)	
											Contract Rate * MWh above firm (\$/MWh)	
											Estimated Cost Savings to EKPC during Interruption	

Date	HR Ended	D/A MWH	D/A MWH Less Firm	D/A EK Rate	D/A Energy Charge	Actual MWh	Contract Firm MWh	Buy Through R/T MWh	R/T EK Hub	R/T Energy Charge	Total Energy Charge	Total Energy Rate
10/3/2019	16			\$ 68.93					\$ 65.53			
	17			\$ 70.06					\$ 62.58			
	18			\$ 53.69					\$ 41.73			
	19			\$ 34.97					\$ 34.11			

Total												
					MWh over firm						Energy Charge / MWh above firm (\$/MWh)	
											Total Energy Charge	
											Contract Rate (\$/MWh)	
											Contract Rate * MWh above firm (\$/MWh)	
											Estimated Cost Savings to EKPC during Interruption	

AGC Automotive Buy Through Activity for Nov 2019

Date	HR Ended	D/A MWH Less		D/A Energy Charge	Actual MWh	Contract Firm MWh	Buy Through R/T MWh	R/T EK Hub	R/T Energy Charge	Total Energy Charge	AGC
		D/A MWh	Firm								D/A EK Rate
11/13/2019	8			\$ 92.55				\$ 627.85			
	9			\$ 56.31				\$ 74.52			
	10			\$ 46.94				\$ 39.01			
Total					MWh over firm						
										Energy Charge / MWh above firm (\$/MWh)	
										Total Energy Charge	
										Contract Rate (\$/MWh)	
										Contract Rate * MWh above firm (\$/MWh)	
										Estimated Cost Savings to EKPC during Interruption	