



Steven L. Beshear
Governor

Leonard K. Peters
Secretary
Energy and Environment Cabinet

Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P. O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
Fax: (502) 564-3460
psc.ky.gov

David L. Armstrong
Chairman

James W. Gardner
Vice Chairman

Charles R. Borders
Commissioner

November 22, 2011

Frost Brown Todd LLC
Attention: Mark David Goss
250 West Main Street, Suite 2800
Lexington, Kentucky 40507-1749

Re: Duke Energy Corporation ("Joint Applicants")
Petition for Confidential Treatment received 6/24/11
PSC Reference – Case No. 2011-00124

Dear Mr. Goss:

The Public Service Commission has received the Petition for Confidential Treatment you filed on June 24, 2011 on behalf of Duke Energy Corporation, Cinergy Corporation, Duke Energy Ohio, Inc., Duke Energy Kentucky, Inc., Diamond Acquisition Corporation, and Progress Energy, Inc., (collectively "Joint Applicants") to protect certain information filed with the Commission as confidential pursuant to Section 7 of 807 KAR 5:001 and KRS 61.870. The information you seek to have treated as confidential is identified as the Joint Applicants' responses to discussions arising at the informal conference held June 17, 2011. The information is described as terms and conditions of the settlement agreement, including the contribution of funds by The Duke Energy Foundation towards low income weatherization activities in the Duke Kentucky service territory.

Your justification for having the Commission handle this material as confidential is that the public disclosure of the information could result in an unfair commercial advantage to competitors.

Based on a review of the information and pursuant to KRS 61.878 and 807 KAR 5:001, Section 7, the Commission has determined that the information requested to be held confidential is of a proprietary nature, which if publicly disclosed would permit an unfair commercial advantage to the Joint Applicants' competitors. Therefore, the information requested to be treated as confidential **meets the criteria for confidential protection** and will be maintained as a nonpublic part of the Commission's file in this case. The procedure for usage of confidential materials during formal proceedings may be found at Section 7(8) of 807 KAR 5:001.

Mr. Goss
November 22, 2011
Page 2

If the information becomes publicly available or no longer warrants confidential treatment, Duke Energy Corporation, Cinergy Corporation, Duke Energy Ohio, Inc., Duke Energy Kentucky, Inc., Diamond Acquisition Corporation, and Progress Energy, Inc., (collectively "Joint Applicants") are required by Section 8(9)(a) of 807 KAR 5:001 to inform the Commission so that the information may be placed in the public record.

Sincerely,



Jeff DeRoquen
Executive Director

kg/

cc: Parties of Record