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Commissioner

June 8, 2011

Duke Energy Business Services, LLC
Attention: Rocco O. D'Ascenzo
139 East Fourth Street, 1303 Main
Cincinnati, Ohio 45201-0960

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

Re: Duke Energy Corporation, Cinergy Corp., Duke Energy Ohio, Inc., Duke Energy
Kentucky, Inc., Diamond Acquisition Corp., and Progress Energy, Inc.
Petition for Confidential Protection received 5/19/11
PSC Reference #: 2011-00124

Dear Counselors:

The Public Service Commission has received the Joint Petition for Confidential Protection you filed on May 19, 2011 on behalf of Duke Energy Corp., Cinergy Corp., Duke Energy Ohio, Inc., Duke Energy Kentucky, Inc., Diamond Acquisition Corp., and Progress Energy, Inc., ("Joint Applicants"), to protect certain information filed with the Commission as confidential pursuant to Section 7 of 807 KAR 5:001 and KRS 61.878. The information you seek to have treated as confidential is identified as being contained in the Joint Applicants' Supplemental Response to Commission Data Request No. 32. The information is more particularly described as the documents filed "under seal" containing confidential business concepts and strategies for achieving potential, forward looking benefits to the combination of Duke Energy and Progress Energy.

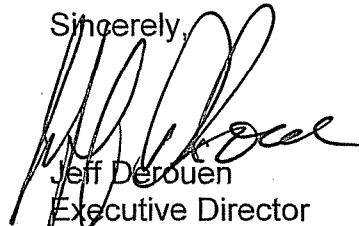
Your justification for having the Commission handle this material as confidential is that the public disclosure of the information would compromise Duke's competitive position in the industry, which would result in an unfair commercial advantage to its competitors and possibly pose a risk of litigation.

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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 Duke's 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.

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. 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 Derouen
Executive Director

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cc: Parties of Record