

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

BACK-UP POWER SUPPLY PLAN OF DUKE	)	CASE NO.
ENERGY KENTUCKY, INC.	)	2017-00117

ORDER

This matter arises from a motion requesting confidential treatment, pursuant to KRS 61.878(1)(c) and 807 KAR 5:001, Section 13, filed by Duke Energy Kentucky, Inc. (Duke Kentucky), on March 3, 2017.

In its motion, Duke Kentucky requests confidential treatment for ten years for the information contained in its proposed back-up supply plan that is filed as part of its application. Duke Kentucky states that the filing contains projections of its forecasted future energy positions and needs, estimated costs, forecasted forced outage rates, unforced capacity ratings, future planned outages, ongoing risk hedging strategies, and the cost of various back-up power supply alternatives such as calls, options, and insurance. Duke Kentucky avers that such information is exempt from public disclosure, pursuant to KRS 61.878(1)(c)(1), as disclosure would unfairly advantage Duke Kentucky's competitors and counterparties in the energy markets. Duke Kentucky also seeks confidential treatment for the prices of the various back-up power supply alternatives, noting that these prices resulted from confidential requests for proposals (RFP). Duke Kentucky avers that disclosure of these prices would deter bidders from submitting proposals in future RFPs. Duke Kentucky states that these prices could be used as a floor for future bids, resulting in higher prices than would be the case if the

information was not publicly disclosed. Lastly, Duke Kentucky informs that it is in the process of evaluating the economic benefits of potential insurance products. Disclosure of this information would, according to Duke Kentucky, limit its ability to negotiate with competing vendors and ultimately receive the best price.

Having carefully considered the motion and the materials at issue, the Commission finds that the designated materials in the confidentiality motion of Duke Kentucky meet the criteria for confidential treatment and are exempted from public disclosure pursuant to KRS 61.878(1)(c)(1) and 807 KAR 5:001, Section 13.

IT IS THEREFORE ORDERED that:

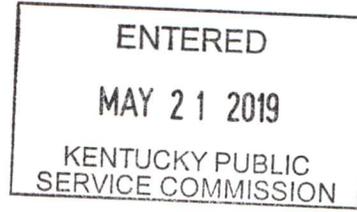
1. Duke Kentucky's March 3, 2017 motion for confidential treatment is granted.
2. The designated materials for which Duke Kentucky seeks confidential treatment in its March 3, 2017 motion shall not be placed in the public record or made available for public inspection for ten years or until further Orders of this Commission.
3. Use of the materials in question in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).
4. Duke Kentucky shall inform the Commission if the materials in question become publicly available or no longer qualify for confidential treatment.
5. If a non-party to this proceeding requests to inspect the materials granted confidential treatment by this Order and the period during which the materials have been granted confidential treatment has not run, then Duke Kentucky shall have 30 days from receipt of written notice of the request to demonstrate that the materials still fall within the exclusions from disclosure requirements established in KRS 61.878. If Duke Kentucky is

unable to make such demonstration, the requested materials shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

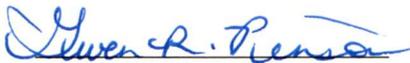
6. The Commission shall not make the requested materials available for inspection for 30 days following an Order finding that the materials no longer qualify for confidential treatment in order to allow Duke Kentucky to seek a remedy afforded by law.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

By the Commission



ATTEST:

  
Executive Director

\*Duke Energy Kentucky, Inc.  
139 East Fourth Street  
Cincinnati, OH 45202

\*Duke Energy Kentucky, Inc.  
139 East Fourth Street  
Cincinnati, OH 45202

\*Rocco O D'Ascenzo  
Duke Energy Kentucky, Inc.  
139 East Fourth Street  
Cincinnati, OH 45201