COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC REVIEW OF THE ADEQUACY OF KENTUCKY'S GENERATION CAPACITY AND TRANSMISSION SYSTEM	)))	CASE NO. 20000387

O R D E R

This matter arises on several motions requesting confidential treatment for annual filings in this proceeding: Louisville Gas and Electric Company (LG&E) and Kentucky Utilities Company (KU) (jointly, LG&E/KU) filed their respective petitions on March 29, 2024, March 31, 2025, and March 31, 2026; Duke Energy Kentucky, Inc. (Duke Kentucky) filed its petitions on April 1, 2024, March 31, 2025, and March 31, 2026; Big Rivers Electric Corporation (BREC) filed its respective motions on February 28, 2024, February 28, 2025 and February 26, 2026, and Kentucky Power Company (Kentucky Power) filed its motions on April 25, 2024, April 30, 2025, and April 30, 2026.

LG&E/KU’S PETITIONS AND COMMISSION FINDINGS

On March 29, 2024, LG&E/KU filed their respective petitions, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878, requesting that the Commission grant confidential treatment for ten years for planned transmission capacity additions set forth in Appendix G, Item 14, and for five years for scheduled generation outages set forth in Appendix G, Item 11, in LG&E/KU’s respective annual filings.[1]

[1] LG&E’s Petition for Confidential Treatment (LG&E March 2024 Motion) (filed March 29, 2024); KU’s Petition for Confidential Treatment (KU March 2024 Motion) (filed March 29, 2024). Each year the petitions for each entity are the same excepting the name but filed separately for each entity.

In support of their petitions, LG&E/KU argued that the designated material related to transmission capacity additions is information regarding utility critical infrastructure because the designated material includes expected in-service dates, and facility size and site, along with the transmission need addressed by each facility addition.[2] LG&E/KU asserted that, because the designated material consists of utility critical infrastructure, the designated material is exempt from public disclosure under KRS 61.868(1)(m), which prohibits public disclosure of utility critical infrastructure that, if publicly disclosed, could expose a vulnerability in preventing, protecting against, mitigating, or responding to a terrorist act.[3] LG&E/KU further argued that the designated material related to scheduled outages is exempt from public disclosure under KRS 61.868(1)(c)(1), which prohibits public disclosure of records generally recognized as confidential or proprietary that, if publicly disclosed, would permit an unfair commercial advantage to competitors of the entity disclosing the information.[4] LG&E/KU asserted that public disclosure of scheduled generation outages would result in competitive advantage to LG&E/KU's competitors for wholesale power sales because potential suppliers could manipulate the price of power bid to LG&E/KU to maximize suppliers' revenues, which would impair LG&E/KU's ability to obtain fair prices for power supply and would result in financial harm to LG&E/KU and its ratepayers.[5]

[2] LG&E March 2024 Petition at unnumbered page 2-3; KU March 2024 Petition at unnumbered page 2-3.

[3] LG&E March 2024 Petition at unnumbered page 2-3; KU March 2024 Petition at unnumbered page 2-3.

[4] LG&E March 2024 Petition at unnumbered page 3-5; KU March 2024 Petition at unnumbered page 3-5.

[5] LG&E March 2024 Petition at unnumbered page 3-5; KU March 2024 Petition at unnumbered page 3-5.

Having considered the petitions and the material at issue, the Commission finds that the designated material related to transmission capacity additions contains information regarding critical infrastructure and therefore should be exempted from public disclosure pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(m). The Commission further finds that the designated material related to scheduled outages is generally recognized as confidential or proprietary, and that public disclosure could result in commercial disadvantage to LG&E/KU; it therefore meets the criteria for confidential treatment and should be exempted from public disclosure pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(c)(1).

On March 31, 2025, LG&E/KU filed their respective petitions, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878, requesting that the Commission grant confidential treatment for ten years for planned transmission capacity additions set forth in Appendix G, Item 14, and for five years for scheduled generation outages set forth in Appendix G, Item 11, in LG&E/KU's respective annual filings.[6]

In support of their petitions, LG&E/KU argued that the designated material related to transmission capacity additions is information regarding utility critical infrastructure because the designated material includes expected in-service dates, and facility size and site, along with the transmission need addressed by each facility addition.[7] LG&E/KU asserted that, because the designated material consists of utility critical infrastructure, the designated material is exempt from public disclosure under KRS 61.868(1)(m), which

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[6] LG&E's Petition for Confidential Treatment (LG&E March 2025 Petition) (filed Mar. 31, 2025); KU's Petition for Confidential Treatment (KU March 2025 Petition) (filed Mar. 31, 2025).

[7] LG&E March 2025 Petition at unnumbered page 2-3; KU March 2025 Petition at unnumbered page 2-3.

prohibits public disclosure of utility critical infrastructure that, if publicly disclosed, could expose a vulnerability in preventing, protecting against, mitigating, or responding to a terrorist act.[8] LG&E/KU further argued that the designated material related to scheduled outages is exempt from public disclosure under KRS 61.868(1)(c)(1), which prohibits public disclosure of records generally recognized as confidential or proprietary that, if publicly disclosed, would permit an unfair commercial advantage to competitors of the entity disclosing the information.[9] LG&E/KU asserted that public disclosure of scheduled generation outages would result in competitive advantage to LG&E/KU's competitors for wholesale power sales because potential suppliers could manipulate the price of power bid to LG&E/KU to maximize suppliers' revenues, which would impair LG&E/KU's ability to obtain fair prices for power supply and would result in financial harm to LG&E/KU and its ratepayers.[10]

Having considered the petitions and the material at issue, the Commission finds that the designated material related to transmission capacity additions contains information regarding critical infrastructure and therefore should be exempted from public disclosure pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(m). The Commission further finds that the designated material related to scheduled outages is generally recognized as confidential or proprietary, and that public disclosure could result in commercial disadvantage to LG&E/KU; it therefore meets the criteria for confidential

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[8] LG&E March 2025 Petition at unnumbered page 2-3; KU March 2025 Petition at unnumbered page 2-3.

[9] LG&E March 2025 Petition at unnumbered page 3-5; KU March 2025 Petition at unnumbered page 3-5.

[10] LG&E March 2025 Petition at unnumbered page 3-5; KU March 2025 Petition at unnumbered page 3-5.

treatment and should be exempted from public disclosure pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(c)(1).

On March 31, 2026, LG&E/KU filed their respective petitions, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878, requesting that the Commission grant confidential treatment for ten years for planned transmission capacity additions set forth in Appendix G, Item 14, and for five years for scheduled generation outages set forth in Appendix G, Item 11, in LG&E/KU's respective annual filings.[11]

In support of their petitions, LG&E/KU argued that the designated material related to transmission capacity additions is information regarding utility critical infrastructure because the designated material includes expected in-service dates, and facility size and site, along with the transmission need addressed by each facility addition.[12] LG&E/KU asserted that, because the designated material consists of utility critical infrastructure, the designated material is exempt from public disclosure under KRS 61.868(1)(m), which prohibits public disclosure of utility critical infrastructure that, if publicly disclosed, could expose a vulnerability in preventing, protecting against, mitigating, or responding to a terrorist act.[13] LG&E/KU further argued that the designated material related to scheduled outages is exempt from public disclosure under KRS 61.868(1)(c)(1), which prohibits public disclosure of records generally recognized as confidential or proprietary that, if

[11] LG&E's Petition for Confidential Treatment (LG&E March 2026 Petition) (filed Mar. 31, 2026); KU's Petition for Confidential Treatment (KU March 2026 Petition) (filed Mar. 31, 2026).

[12] LG&E March 2026 Petition at unnumbered page 2-3; KU March 2026 Petition at unnumbered page 2-3.

[13] LG&E March 2026 Petition at unnumbered page 3-5; KU March 2026 Petition at unnumbered page 2-3.

publicly disclosed, would permit an unfair commercial advantage to competitors of the entity disclosing the information.[14] LG&E/KU asserted that public disclosure of scheduled generation outages would result in competitive advantage to LG&E/KU's competitors for wholesale power sales because potential suppliers could manipulate the price of power bid to LG&E/KU to maximize suppliers' revenues, which would impair LG&E/KU's ability to obtain fair prices for power supply and would result in financial harm to LG&E/KU and its ratepayers. [15]

Having considered the petitions and the material at issue, the Commission finds that the designated material related to transmission capacity additions contains information regarding critical infrastructure and therefore should be exempted from public disclosure pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(m). The Commission further finds that the designated material related to scheduled outages is generally recognized as confidential or proprietary, and that public disclosure could result in commercial disadvantage to LG&E/KU; it therefore meets the criteria for confidential treatment and should be exempted from public disclosure pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(c)(1).

DUKE KENTUCKY'S PETITIONS AND COMMISSION FINDINGS

In its April 1, 2024 petition, Duke Kentucky requested confidential treatment for ten years for scheduled generation outages contained in Item 11 in Duke Kentucky's annual

[14] LG&E March 2026 Petition at unnumbered page 3-5; KU March 2026 Petition at unnumbered page 3-5.

[15] LG&E March 2026 Petition at unnumbered page 3-5; KU March 2026 Petition at unnumbered page 3-5.

filing.[16] Duke Kentucky requested confidential treatment under KRS 61.868(1)(c)(1), which prohibits public disclosure of records generally recognized as confidential or proprietary that, if publicly disclosed, would permit an unfair commercial advantage to competitors of the entity disclosing the information. As a basis for its petition, Duke Kentucky asserted that public disclosure of scheduled generation outages would result in competitive advantage to Duke Kentucky's competitors for wholesale power sales because vendors could anticipate Duke Kentucky's maintenance schedule and cause energy prices to be higher than competitive rates, which results in financial harm to Duke Kentucky and its ratepayers.[17]

Having considered the petition and the material at issue, the Commission finds that the designated material related to scheduled outages is generally recognized as confidential or proprietary, and that public disclosure could result in commercial disadvantage to Duke Kentucky; it therefore meets the criteria for confidential treatment and should be exempted from public disclosure pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(c)(1).

In its March 31, 2025 petition, Duke Kentucky requested confidential treatment for ten years for scheduled generation outages contained in Item 11 in Duke Kentucky's annual filing.[18] Duke Kentucky requested confidential treatment under KRS 61.868(1)(c)(1), which prohibits public disclosure of records generally recognized as

[16] Duke Kentucky's Petition for Confidential Treatment (Duke Kentucky April 2024 Petition) (filed Apr. 1, 2024) at 2.

[17] Duke Kentucky April 2024 Petition at 2.

[18] Duke Kentucky's Petition for Confidential Treatment (Duke Kentucky March 2025 Petition) (filed Mar. 31, 2025) at 2.

confidential or proprietary that, if publicly disclosed, would permit an unfair commercial advantage to competitors of the entity disclosing the information. As a basis for its petition, Duke Kentucky asserted that public disclosure of scheduled generation outages would result in competitive advantage to Duke Kentucky's competitors for wholesale power sales because vendors could anticipate Duke Kentucky's maintenance schedule and cause energy prices to be higher than competitive rates, which results in financial harm to Duke Kentucky and its ratepayers.[19]

Having considered the petition and the material at issue, the Commission finds that the designated material related to scheduled outages is generally recognized as confidential or proprietary, and that public disclosure could result in commercial disadvantage to Duke Kentucky; it therefore meets the criteria for confidential treatment and should be exempted from public disclosure pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(c)(1).

In its March 31, 2026 petition, Duke Kentucky requested confidential treatment for ten years for scheduled generation outages contained in Item 11 in Duke Kentucky's annual filing.[20] Duke Kentucky requested confidential treatment under KRS 61.868(1)(c)(1), which prohibits public disclosure of records generally recognized as confidential or proprietary that, if publicly disclosed, would permit an unfair commercial advantage to competitors of the entity disclosing the information. As a basis for its petition, Duke Kentucky asserted that public disclosure of scheduled generation outages would result in competitive advantage to Duke Kentucky's competitors for wholesale

[19] Duke Kentucky March 2025 Petition at 2.

[20] Duke Kentucky's Petition for Confidential Treatment (Duke Kentucky March 2026 Petition) (filed Mar. 31, 2026) at 2.

power sales because vendors could anticipate Duke Kentucky's maintenance schedule and cause energy prices to be higher than competitive rates, which results in financial harm to Duke Kentucky and its ratepayers.[21]

Having considered the petition and the material at issue, the Commission finds that the designated material related to scheduled outages is generally recognized as confidential or proprietary, and that public disclosure could result in commercial disadvantage to Duke Kentucky; it therefore meets the criteria for confidential treatment and should be exempted from public disclosure pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(c)(1).

KENTUCKY POWER'S MOTIONS AND COMMISSION FINDINGS

In its April 25, 2024 motion, Kentucky Power requested confidential treatment until January 1, 2029, for scheduled generation outages contained in Kentucky Power's response to the request for information, Item 6, Attachment 2, contained in Kentucky Power's annual filing.[22] Kentucky Power requested confidential treatment under KRS 61.868(1)(c)(1), which prohibits public disclosure of records generally recognized as confidential or proprietary that, if publicly disclosed, would permit an unfair commercial advantage to competitors of the entity disclosing the information.[23] As a basis for its motion, Kentucky Power asserted that public disclosure of scheduled generation outages would result in competitive advantage to Kentucky Power's competitors for wholesale power sales because marketers could estimate Kentucky Power's generation position

[21] Duke Kentucky March 2026 Petition at 2.

[22] Kentucky Power's Motion for Confidential Treatment (Kentucky Power's April 2024 Motion) (filed Apr. 25, 2024) at 2-3.

[23] Kentucky Power's April 2024 Motion at 2-3.

and charge higher energy prices, which could result in financial harm to Kentucky Power and its ratepayers.[24]

Having considered the motion and the material at issue, the Commission finds that the designated material related to scheduled outages is generally recognized as confidential or proprietary, and that public disclosure could result in commercial disadvantage to Kentucky Power; it therefore meets the criteria for confidential treatment and should be exempted from public disclosure pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(c)(1). The material shall be held confidential until January 1, 2029.

In its April 30, 2025 motion, Kentucky Power requested confidential treatment for until January 1, 2030, for scheduled generation outages contained in Kentucky Power's response to the request for information, Item 6, Attachment 2, contained in Kentucky Power's annual filing.[25] Kentucky Power requested confidential treatment under KRS 61.868(1)(c)(1), which prohibits public disclosure of records generally recognized as confidential or proprietary that, if publicly disclosed, would permit an unfair commercial advantage to competitors of the entity disclosing the information.[26] As a basis for its motion, Kentucky Power asserted that public disclosure of scheduled generation outages would result in competitive advantage to Kentucky Power's competitors for wholesale power sales because marketers could estimate Kentucky Power's generation position

[24] Kentucky Power's April 2024 Motion at 2-3.

[25] Kentucky Power's Motion for Confidential Treatment (Kentucky Power's April 2025 Motion) (filed Apr. 30, 2025) at 2-3.

[26] Kentucky Power's April 2025 Motion at 2-3.

and charge higher energy prices, which could result in financial harm to Kentucky Power and its ratepayers.[27]

Having considered the motion and the material at issue, the Commission finds that the designated material related to scheduled outages is generally recognized as confidential or proprietary, and that public disclosure could result in commercial disadvantage to Kentucky Power; it therefore meets the criteria for confidential treatment and should be exempted from public disclosure pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(c)(1). The material shall be held confidential until January 1, 2030.

In its April 30, 2026 motion, Kentucky Power requested confidential treatment for until January 1, 2031, for scheduled generation outages contained in Kentucky Power's response to the request for information, Item 6, Attachment 2, contained in Kentucky Power's annual filing.[28] Kentucky Power requested confidential treatment under KRS 61.868(1)(c)(1), which prohibits public disclosure of records generally recognized as confidential or proprietary that, if publicly disclosed, would permit an unfair commercial advantage to competitors of the entity disclosing the information.[29] As a basis for its motion, Kentucky Power asserted that public disclosure of scheduled generation outages would result in competitive advantage to Kentucky Power's competitors for wholesale power sales because marketers could estimate Kentucky Power's generation position

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[27] Kentucky Power's April 2025 Motion at 2-3.

[28] Kentucky Power's Motion for Confidential Treatment (Kentucky Power's April 2026 Motion) (filed Apr. 30, 2026) at 2-3.

[29] Kentucky Power's April 2026 Motion at 2-3.

and charge higher energy prices, which could result in financial harm to Kentucky Power and its ratepayers.[30]

Having considered the motion and the material at issue, the Commission finds that the designated material related to scheduled outages is generally recognized as confidential or proprietary, and that public disclosure could result in commercial disadvantage to Kentucky Power; it therefore meets the criteria for confidential treatment and should be exempted from public disclosure pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(c)(1). The material is granted confidential treatment until January 1, 2031.

BREC'S MOTIONS AND COMMISSION FINDINGS

On February 28, 2024, BREC requested confidential treatment for portions of its responses to Item 8 and Item 11 and an attachment to its response to Item 14 of the supplemental information to BREC's annual Financial and Statistical Report.[31] BREC requested confidential treatment under KRS 61.878(1)(c)(1) for information related to projected capacity purchases, a list of future scheduled outages and planned transmission system additions.[32] As a basis for the request, BREC argued that public disclosure of the designated material would permit an unfair commercial advantage because it could increase BREC's costs or decrease revenue by impacting the BREC's ability to obtain the maximum price for power it sells, ability to obtain the most favorable

[30] Kentucky Power's April 2026 Motion at 2-3.

[31] BREC's Motion for Confidential Treatment (BREC February 2024 Motion) (filed Feb. 28, 2024) at 1.

[32] BREC February 2024 Motion at 1.

contract terms, and ability to keep costs of production as low as possible.[33] BREC also argued that public disclosure could adversely impact the price BREC pays for credit.[34]

Having considered the motion and the designated material at issue, the Commission finds that the motion should be granted. Public disclosure of projected capacity purchases could result in commercial harm to BREC because other energy market participants would know BREC's demand level, which could adversely impact the cost of capacity purchases. Public disclosure of forecasted outage schedules could result in commercial harm to BREC because other energy market participants would know when BREC's need for purchased power would spike. Public disclosure of planned capacity projects could result in commercial disadvantage to BREC with contractors when these future construction projects are bid. The designated material is generally recognized as proprietary and would permit an unfair commercial advantage to competitors if publicly disclosed; it therefore meets the criteria for confidential treatment and is exempted from public disclosure for five years pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(c)(1).

On February 28, 2025, BREC requested confidential treatment for portions of its responses to Item 8 and Item 11 and an attachment to its response to Item 14 of the supplemental information to BREC's annual Financial and Statistical Report.[35] BREC requested confidential treatment under KRS 61.878(1)(c)(1) for information related to projected capacity purchases, a list of future scheduled outages and planned

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[33] BREC February 2024 Motion at 3–6.

[34] BREC February 2024 Motion at 3–6.

[35] BREC's Motion for Confidential Treatment (BREC February 2025 Motion) (filed Feb. 28, 2025) at 1.

transmission system additions.[36] As a basis for the request, BREC argued that public disclosure of the designated material would permit an unfair commercial advantage because it could increase BREC's costs or decrease revenue by impacting the BREC's ability to obtain the maximum price for power it sells, ability to obtain the most favorable contract terms, and ability to keep costs of production as low as possible.[37] BREC also argued that public disclosure could adversely impact the price BREC pays for credit.[38]

Having considered the motion and the designated material at issue, the Commission finds that the motion should be granted. Public disclosure of projected capacity purchases could result in commercial harm to BREC because other energy market participants would know BREC's demand level, which could adversely impact the cost of capacity purchases. Public disclosure of forecasted outage schedules could result in commercial harm to BREC because other energy market participants would know when BREC's need for purchased power would spike. Public disclosure of planned capacity projects could result in commercial disadvantage to BREC with contractors when these future construction projects are bid. The designated material is generally recognized as proprietary and would permit an unfair commercial advantage to competitors if publicly disclosed; it therefore meets the criteria for confidential treatment and is exempted from public disclosure for five years pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(c)(1).

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[36] BREC February 2025 Motion at 1.

[37] BREC February 2025 Motion at 3-6.

[38] BREC February 2025 Motion at 3-6.

On February 26, 2026, BREC requested confidential treatment for portions of its responses to Item 8 and Item 11 and an attachment to its response to Item 14 of the supplemental information to BREC's annual Financial and Statistical Report.[39] BREC requested confidential treatment under KRS 61.878(1)(c)(1) for information related to projected capacity purchases, a list of future scheduled outages and planned transmission system additions.[40] As a basis for the request, BREC argued that public disclosure of the designated material would permit an unfair commercial advantage because it could increase BREC's costs or decrease revenue by impacting the BREC's ability to obtain the maximum price for power it sells, ability to obtain the most favorable contract terms, and ability to keep costs of production as low as possible.[41] BREC also argued that public disclosure could adversely impact the price BREC pays for credit.[42]

Having considered the motion and the designated material at issue, the Commission finds that the motion should be granted. Public disclosure of projected capacity purchases could result in commercial harm to BREC because other energy market participants would know BREC's demand level, which could adversely impact the cost of capacity purchases. Public disclosure of forecasted outage schedules could result in commercial harm to BREC because other energy market participants would know when BREC's need for purchased power would spike. Public disclosure of planned capacity projects could result in commercial disadvantage to BREC with contractors when these

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[39] BREC's Motion for Confidential Treatment (BREC February 2026 Motion) (filed Feb. 26, 2026) at 1.

[40] BREC February 2026 Motion at 1.

[41] BREC February 2026 Motion at 3-6.

[42] BREC February 2026 Motion at 3-6.

future construction projects are bid. The designated material is generally recognized as proprietary and would permit an unfair commercial advantage to competitors if publicly disclosed; it therefore meets the criteria for confidential treatment and is exempted from public disclosure for five years pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(c)(1).

IT IS THEREFORE ORDERED that:

1. LG&E/KU's respective March 29, 2024 petitions for confidential treatment are granted.

2. The designated material in Appendix G, Item 14, of LG&E/KU's respective annual filings granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for ten years or until further Order of this Commission.

3. The designated material in Appendix G, Item 11, of LG&E/KU's respective annual filings granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for five years or until further Order of this Commission.

4. LG&E/KU's respective March 31, 2025 petitions for confidential treatment are granted.

5. The designated material in Appendix G, Item 14, of LG&E/KU's respective annual filings granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for ten years or until further Order of this Commission.

6. The designated material in Appendix G, Item 11, of LG&E/KU's respective annual filings granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for five years or until further Order of this Commission.

7. LG&E/KU's respective March 31, 2026 petitions for confidential treatment are granted.

8. The designated material in Appendix G, Item 14, of LG&E/KU's respective annual filings granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for ten years or until further Order of this Commission.

9. The designated material in Appendix G, Item 11, of LG&E/KU's respective annual filings granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for five years or until further Order of this Commission.

10. Duke Kentucky's April 1, 2024 petition for confidential treatment is granted.

11. The designated material in Item 11 of Duke Kentucky's annual filing granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for ten years or until further Order of this Commission.

12. Duke Kentucky's March 31, 2025 petition for confidential treatment is granted.

13. The designated material in Item 11 of Duke Kentucky's annual filing granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for ten years or until further Order of this Commission.

14. Duke Kentucky’s March 31, 2026 petition for confidential treatment is granted.

15. The designated material in Item 11 of Duke Kentucky’s annual filing granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for ten years or until further Order of this Commission.

16. Kentucky Power’s April 25, 2024 motion for confidential treatment is granted.

17. The designated material in Kentucky Power’s response to the request for information, Item 6, Attachment 2 in Kentucky Power’s annual filing granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection until January 1, 2029, or until further Order of this Commission.

18. Kentucky Power’s April 30, 2025 motion for confidential treatment is granted.

19. The designated material in Kentucky Power’s response to the request for information, Item 6, Attachment 2 in Kentucky Power’s annual filing granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection until January 1, 2030, or until further Order of this Commission.

20. Kentucky Power’s April 30, 2026 motion for confidential treatment is granted.

21. The designated material in Kentucky Power’s response to the request for information, Item 6, Attachment 2 in Kentucky Power’s annual filing granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection until January 1, 2031, or until further Order of this Commission.

22. BREC's February 28, 2024 motion for confidential treatment is granted.

23. The designated material in BREC's portions of its responses to Item 8 and Item 11 and an attachment to its response to Item 14 of the supplemental information to BREC's annual Financial and Statistical Report granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for five years or until further Order of this Commission.

24. BREC's February 28, 2025 motion for confidential treatment is granted.

25. The designated material in BREC's portions of its responses to Item 8 and Item 11 and an attachment to its response to Item 14 of the supplemental information to BREC's annual Financial and Statistical Report granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for five years or until further Order of this Commission.

26. BREC's February 26, 2026 motion for confidential treatment is granted.

27. The designated material in BREC's portions of its responses to Item 8 and Item 11 and an attachment to its response to Item 14 of the supplemental information to BREC's annual Financial and Statistical Report granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for five years or until further Order of this Commission.

28. Use of the designated material granted confidential treatment by this Order in any Commission proceeding shall comply with 807 KAR 5:001, Section 13(9).

29. LG&E/KU, Duke Kentucky, BREC, and Kentucky Power, respectively, shall inform the Commission if the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment.

30. If a nonparty to this proceeding requests to inspect the material granted confidential treatment by this Order and the period during which the material has been granted confidential treatment has not expired, LG&E/KU, Duke Kentucky, BREC, and Kentucky Power, respectively, shall have 20 days from receipt of written notice of the request to demonstrate that the material still falls within the exclusions from disclosure requirements established in KRS 61.878. If LG&E/KU, Duke Kentucky, BREC, and Kentucky Power, respectively, are unable to make such demonstration, the requested material shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

31. The Commission shall not make the requested material available for inspection for 30 days from the date of service of an Order finding that the material no longer qualifies for confidential treatment in order to allow LG&E/KU, Duke Kentucky, BREC, and Kentucky Power, respectively, to seek a remedy afforded by law.

Entered on this 13th day of August, 2026.

PUBLIC SERVICE COMMISSION

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Chair

Mary Pat Regan
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Vice Chair

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Commissioner

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Commissioner

ATTEST:

Justin McNeil RP
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Executive Director

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