

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

BACK-UP POWER SUPPLY PLAN OF DUKE ) CASE NO. 2015-00075  
ENERGY KENTUCKY, INC. )

ORDER

On March 2, 2015, and May 4, 2015, Duke Energy Kentucky, Inc. ("Movant") moved, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1), that certain materials filed with the Commission be afforded confidential treatment and not be placed in the public record subject to public inspection.

Movant states that the information it is requesting to be held confidential in its March 2, 2015 motion is more particularly described as forecasted energy positions, costs, outage rates, unforced capacity rates and hedging strategies filed as part of its Back-Up Power Supply Plan. The information for which Movant requests confidential protection in its May 4, 2015 motion includes Movant's response to Commission Staff's First Request for Information, Item 10, and the attachments to Items 8 and 9. The information in the responses is more particularly described as results and analysis of Movant's confidential Request for Proposals ("RFP") relating to hedging strategies. Movant states that disclosure of the information would provide an unfair commercial advantage to its competitors.

Having carefully considered the motions and the materials at issue, the Commission finds that:

1. The materials for which Movant seeks confidential treatment meet the criteria for confidential treatment and are exempted from public disclosure pursuant to KRS 61.878(1)(c) and 807 KAR 5:001, Section 13.

2. Pursuant to KRS 61.878, the material for which Movant requests confidential protection should not be placed in the public record or made available for public inspection for ten years, or until further Order of the Commission.

IT IS THEREFORE ORDERED that:

1. Movant's motions for confidential protection of certain information in its Back-Up Power Supply Plant, and its response to Commission Staff's First Request for Information, Item 10, and its attachments to Items 8 and 9, are granted.

2. Pursuant to KRS 61.878, the information for which Movant requests confidential protection shall not be placed in the public record or made available for public inspection for ten years from the date of this Order, or until further Order of the 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. Movant 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 materials granted confidential treatment by this Order, the Movant shall have 20 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 Movant is unable to make such demonstration, the requested materials shall be made available for inspection.

By the Commission  
ENTERED  
MAR 28 2016  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:

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