Matthew G. Bevin Governor

Charles G. Snavely Secretary **Energy and Environment Cabinet** 



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

March 9, 2018

Duke Energy Kentucky, Inc. Attention: Rocco D'Ascenzo 139 East Fourth Street 1303 Main Cincinnati, Ohio 45201-0960

Re: Duke Energy Kentucky, Inc. Petition Requesting Confidential Treatment received 6/24/2013 PSC Reference: Admin. Case # 387

Dear Mr. D'Ascenzo:

Pursuant to 807 KAR 5:001, Section 13(3), Duke Energy Kentucky, Inc. ("Duke"), by Petition for Confidential Treatment received June 24, 2013, requested confidential treatment of certain information filed with the Commission outside of a formal proceeding. 807 KAR 5:001, Section 13(3)(c), provides that the Commission's "executive director, as official custodian of the commission's records, shall determine if the material is within an exclusion established in KRS 61.878 and the time period for which the material should be considered as confidential and shall advise the requestor of his or her determination by letter." This letter constitutes my determination of your request.

The information you request the Commission treat as confidential is identified as being contained in Duke's Response to the Commission's Supplemental Data Request Item 6 dated May 31, 2013, and more particularly described as including internal, proprietary policies, procedures and guidelines with regard to price elasticity estimates used in the forecasting process.

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(1)(c)(1) and 807 KAR 5:001, Section 13, it has been determined that the information requested to be held confidential, if publicly disclosed, could present an unfair commercial advantage to

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Talina R. Mathews Commissioner

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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 for a ten year period of time from the date of your request, or until further orders of the Commission. The procedure for usage of confidential materials during formal proceedings may be found at Section 13(9) of 807 KAR 5:001.

If the information becomes publicly available or no longer warrants confidential treatment, Duke is required by Section 13(10)(b) of 807 KAR 5:001 to inform the Commission so that the information may be placed in the public record.

Any questions regarding this letter should be directed to John E.B. Pinney, Acting General Counsel at (502) 782-2587.

Sincerely,

Mue R. Puma

Gwen R. Pinson Executive Director

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Stanley K Conn Director of Power Production Owensboro Municipal Utilities 2070 Tamarack Road P.O. Box 806 Owensboro, KENTUCKY 42301

Mr. Robert L Madison 5407 Baywood Drive Louisville, KENTUCKY 40241-1318

Honorable William H Jones, Jr. Attorney at Law VanAntwerp Attorneys, LLP 1544 Winchester Avenue, 5th Floor P. O. Box 1111 Ashland, KENTUCKY 41105-1111

Honorable Patrick D Pace Kamuf, Yewell & Pace 221 West Second Street Owensboro, KENTUCKY 42303

John Wolfram Manager, Regulatory Policy/Strategy Louisville Gas and Electric Company 220 W. Main Street P. O. Box 32010 Louisville, KY 40202

Winfrey P Blackburn, Jr. Hertz Starks Building LLC 455 South Fourth St., Ste 230 Louisville, KENTUCKY 40202-2507

Albert Yockey Vice President Government Relations Big Rivers Electric Corporation 201 Third Street P. O. Box 24 Henderson, KY 42420 \*Honorable Allyson K Sturgeon Senior Corporate Attorney LG&E and KU Energy LLC 220 West Main Street Louisville, KENTUCKY 40202

\*Honorable Richard S Taylor Attorney at Law Capital Link Consultants 225 Capital Avenue Frankfort, KENTUCKY 40601

\*Honorable Charles A Lile Senior Corporate Counsel East Kentucky Power Cooperative, Inc. P. O. Box 707 Winchester, KY 40392-0707

\*Honorable David F Boehm Attorney at Law Boehm, Kurtz & Lowry 36 East Seventh Street Suite 1510 Cincinnati, OHIO 45202

\*Honorable Dennis G Howard II Assistant Attorney General Office of the Attorney General Office of Rate 700 Capitol Avenue Suite 20 Frankfort, KENTUCKY 40601-8204

\*Errol K Wagner Director Regulatory Services Kentucky Power Company 855 Central Avenue, Suite 200 Ashland, KY 41101

\*Honorable Frank N King, Jr. Attorney at Law Dorsey, Gray, Norment & Hopgood 318 Second Street Henderson, KENTUCKY 42420 \*James B Gainer VP,Federal Energy Policy Duke Energy P.O. Box 1006 526 S. Church Street Charlotte, NORTH CAROLINA 28201-1006

\*Honorable John H Conway Attorney at Law Brickfield, Burchette, Ritts & Stone, P.C. 1025 Thomas Jefferson Street, N.W. 8th Floor, West Tower Washington, DISTRICT OF COLUMBIA 20007

\*Honorable John J Finnigan, Jr. Senior Counsel The Union Light, Heat and Power Company 139 East Fourth Street Cincinnati, OH 45202

\*Honorable James M Miller Attorney at Law Sullivan, Mountjoy, Stainback & Miller, PSC 100 St. Ann Street P.O. Box 727 Owensboro, KENTUCKY 42302-0727

\*Honorable John N Hughes Attorney at Law 124 West Todd Street Frankfort, KENTUCKY 40601

\*Honorable Kevin F Duffy Attorney at Law American Electric Power Service Corporation 1 Riverside Plaza, 29th Floor Post Office Box 16631 Columbus, OHIO 43216

\*Honorable Linda S Portasik Senior Corporate Attorney Kentucky Utilities Company 220 W. Main Street P. O. Box 32010 Louisville, KY 40202 \*Michael H Core President and CEO Big Rivers Electric Corporation 201 Third Street P. O. Box 24 Henderson, KY 42420

\*Honorable Michael J Pahutski Attorney at Law Duke Energy Kentucky, Inc. 139 East Fourth Street Cincinnati, OH 45201

\*Honorable Mark R Overstreet Attorney at Law Stites & Harbison 421 West Main Street P. O. Box 634 Frankfort, KENTUCKY 40602-0634

\*Roy M Palk President/CEO East Kentucky Power Cooperative, Inc. P. O. Box 707 Winchester, KY 40392-0707

\*Honorable Tyson A Kamuf Attorney at Law Sullivan, Mountjoy, Stainback & Miller, PSC 100 St. Ann Street P.O. Box 727 Owensboro, KENTUCKY 42302-0727