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> Robert Cicero Vice Chairman

Talina R. Mathews Commissioner

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 3/31/2015

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 March 31, 2015, 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 Data Request Items 6 and 11 as set out in Appendix G of Amended Order dated March 29, 2004, and more particularly described as price elasticity estimates used in the forecasting process, and planned outage and retirement schedules.

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



Mr. D'Ascenzo March 9, 2018 Page 2

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,

Gwen R. Pinson

**Executive Director** 

Dur R. Renson

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