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Energy and Environment Cabinet

Commonwealth of Kentucky
Public Service Commission
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David L. Armstrong
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Vice Chairman

Charles R. Borders
Commissioner

September 30, 2009

Duke Energy Kentucky, Inc.
Attention: Rocco O. D'Ascenzo
2500 Atrium II
139 East Fourth Street
Cincinnati, Ohio 45201-0960

Re: Duke Energy Kentucky, Inc.- Petition for Confidential Treatment received 5/15/09
PSC Reference – Case No. 2008-00175

Dear Mr. D'Ascenzo:

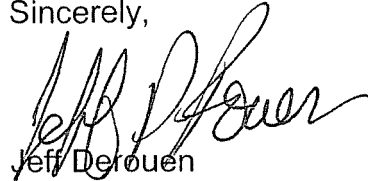
The Public Service Commission has received the Petition for Confidential Treatment you filed on May 15, 2009 on behalf of Duke Energy Kentucky, Inc. to protect certain information filed with the Commission as confidential pursuant to Section 7 of 807 KAR 5:001 and KRS 61.870. The information you seek to have treated as confidential is identified as information contained in Duke's Final Hedging Report for the time period beginning April 1, 2008 through March 31, 2009, and its Interim Report on Ongoing Gas Hedging Activity Program, and described as relating to the volumes of gas purchased through the use of hedging instruments for its hedging plan. Your justification for having the Commission handle this material as confidential is that the public disclosure of the information would compromise Duke Energy Kentucky, Inc.'s competitive position in the industry and result in an unfair commercial advantage to its competitors.

Based on a review of the information and pursuant to KRS 61.878 and 807 KAR 5:001, Section 7, the Commission has determined that the information you seek to keep confidential is of a proprietary nature, which if publicly disclosed would permit an unfair commercial advantage to Duke Energy Kentucky, Inc.'s 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. The procedure for usage of confidential materials during formal proceedings may be found at Section 7(8) of 807 KAR 5:001.

Mr. Rocco O. D'Ascenzo
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If the information becomes publicly available or no longer warrants confidential treatment, Duke Energy Kentucky, Inc. is required by Section 8(9)(a) of 807 KAR 5:001 to inform the Commission so that the information may be placed in the public record.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Derouen". The signature is fluid and cursive, with a large initial "J" and "D".

Jeff Derouen
Executive Director

kg/

cc: Parties of Record