



Steven L. Beshear
Governor

Leonard K. Peters
Secretary
Energy and Environment Cabinet

Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
Fax: (502) 564-3460
psc.ky.gov
June 18, 2009

David L. Armstrong
Chairman

James W. Gardner
Vice Chairman

John W. Clay
Commissioner

Duke Energy Kentucky, Inc.
Attention: Amy Spiller
139 E. Fourth Street, 25 AT II
P.O. Box 960
Cincinnati, Ohio 45202

Re: Duke Energy Kentucky, Inc.
Petition for Confidential Treatment received 3/30/09
PSC Reference – Case No. 2008-00495

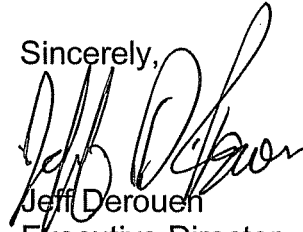
Dear Ms. Spiller:

The Public Service Commission has received the Confidentiality Petition you filed on March 30, 2009 on behalf of Duke Energy Kentucky, Inc. to protect certain information filed with the Commission as confidential under Section 7 of 807 KAR 5:001 and KRS 61.870 et. seq. The information you seek to have treated as confidential is identified as information contained in Duke's responses the Commission's Data Request Nos. 6(a) and 6(b); and the Attorney General's Data Request No. 37 in the Appendix to the Commission's Order dated March 16, 2009. The information includes Duke's projected base load forecast and production and capital costs for the next several years (No. 6A); and present value revenue requirements (No. 6 b); as well as the response to the Attorney General's D.R. No. 37 pertaining to projected illustrative calculations to show recovery of save-a watt and existing DSM Rider. Your justification for having the Commission handle this material as confidential is that the public disclosure of the information would compromise their competitive position in the industry and result in an unfair commercial advantage to their 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 your client'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.

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,



Jeff Derouen
Executive Director

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cc: Parties of Record