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Vice Chairman

John W. Clay
Commissioner

July 14, 2009

Duke Energy Kentucky, Inc.
Attention: Amy Spiller
139 East Fourth Street, Room 25 ATII
P.O. Box 960
Cincinnati, Ohio 45201-0960

Re: Duke Energy Kentucky, Inc.
Petition for Confidential Treatment received 4/27/09
PSC Reference – Case No. 2008-00495

Dear Ms. Spiller:

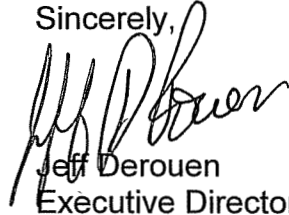
The Public Service Commission has received the Confidentiality Petition you filed on April 27, 2009 on behalf of Duke Energy Kentucky, Inc. to protect certain information filed with the Commission as confidential pursuant to Section 7 of 807 KAR 5:001 and KRS 61.870. The information you seek to have treated as confidential is identified as information contained in Duke's Response to the Commission's Data Requests No. 3(c) and 10(b) of the Commission's Order dated April 13, 2009 Appendix B. The information is described as Duke's projected base load high and low forecast, production costs and capital costs for the next several years (No. 3(c); and includes "PVRR", "EBIT", taxes, and net margins used to calculate "ROI" levels (No. 10(b)). Your justification for having the Commission handle this material as confidential is that the public disclosure of the information would compromise Duke's 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 Duke'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.

Ms. Spiller
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If the information becomes publicly available or no longer warrants confidential treatment, Duke 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 the first name "Jeff" and last name "Derouen" clearly distinguishable.

Jeff Derouen
Executive Director

kg/

cc: Parties of Record