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Commissioner

April 22, 2010

Duke Energy Kentucky, Inc.
Attention: Rocco D'Ascenzo
139 E. Fourth Street, 25 AT II
P.O. Box 960
Cincinnati, Ohio 45202

Re: Duke Energy Kentucky, Inc.
Petition for Confidential Protection received 4/1/10
PSC Reference – Case No. 2009-00509

Dear Mr. D'Ascenzo:

The Public Service Commission has received the Petition for Confidential Protection you filed on April 1, 2010 on behalf of Duke Energy Kentucky, Inc. ("Duke") to protect certain information filed with the Commission as confidential pursuant to Section 7 of 807 KAR 5:001 and KRS 61.878. The information you seek to have treated as confidential is identified as information contained in Duke's Response to Commission's Post-Hearing Data Request No. 19(a). The information is more particularly described as coal bid analysis information pertaining to clarification of the maximum chlorine content that is acceptable in coal used by Duke.

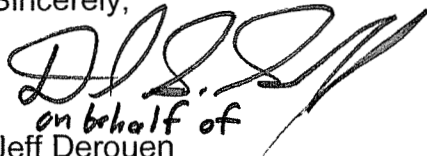
Your justification for having the Commission handle this material as confidential is that the public disclosure of the information would compromise Duke's competitive position in the industry and result in an unfair commercial advantage to their competitors.

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.

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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,


on behalf of
Jeff Derouen
Executive Director

kg/

cc: Parties of Record