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Rocco.O.D'Ascenzo@duke-energy.com  
Rocco O. D'Ascenzo  
Associate General Counsel

March 30, 2017

**VIA OVERNIGHT DELIVERY**

Talina Rose Mathews  
Executive Director  
Kentucky Public Service Commission  
211 Sower Blvd  
Frankfort, KY 40601

**RECEIVED**

MAR 31 2017

PUBLIC SERVICE  
COMMISSION

**RE: Administrative Case No. 387 – Annual Load/Demand Forecast Report**

Dear Dr. Mathews:

Enclosed please find the 2016 updated responses to the Commission data requests filed annually, as ordered in Administrative Case No. 387, paragraph 2, dated October 7, 2005. These updated responses are being filed separately from the Annual Reporting of Duke Energy Kentucky upon request.

We have included the unredacted and highlighted responses in a separate envelope to be filed under seal. Also enclosed is a Petition for Confidential Treatment for your consideration in the above referenced matter.

Please date-stamp the two copies of the letter and data requests and return to me in the enclosed envelope. Should you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Rocco D'Ascenzo  
Associate General Counsel

Enclosures

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

MAR 31 2017

A Review of The Adequacy of )  
Kentucky's Generation Capacity and )  
Transmission System )

PUBLIC SERVICE  
Administrative COMMISSION  
Case No. 387

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**DUKE ENERGY KENTUCKY, INC.'S  
PETITION FOR THE CONFIDENTIAL TREATMENT OF INFORMATION FILED  
FOR CALENDAR YEAR 2017**

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1. Duke Energy Kentucky, Inc. (Duke Energy Kentucky or Company), pursuant to 807 KAR 5:001, Section 13, respectfully requests the Commission to classify and protect certain information provided by Duke Energy Kentucky in its response to Data Request No. 11, as requested by Commission Staff (Staff). The information that Staff seeks, and for which Duke Energy Kentucky now seeks confidential treatment (Confidential Information), includes planned outage and retirement schedules by plant. In support of this Motion, Duke Energy Kentucky further states:

1. The Kentucky Open Records Act exempts from disclosure certain commercial information. KRS 61.878(1)(c). To qualify for this exemption and, therefore, maintain the confidentiality of the information, a party must establish that disclosure of the commercial information would permit an unfair advantage to competitors of that party. Public disclosure of the information identified herein would, in fact, prompt such a result for the reasons set forth below.

2. The list of projected outages, as contained in response to Data Request No. 11, will grant vendors a distinct advantage in that they would be able to anticipate Duke Energy

Kentucky's maintenance schedules. Duke Energy Kentucky submits that the following information, if openly disclosed, could present antitrust issues by giving its competitors access to competitively sensitive, confidential information, which in turn could cause energy prices to consumers to be above competitive rates, and would permit competitors of Duke Energy Kentucky to gain an unfair competitive advantage in the marketplace:

- a. Scheduled outages or retirements of generating capacity during the current year and the following four years.
3. The information for which Duke Energy Kentucky is seeking confidential treatment is not known outside of Duke Energy Corporation.
4. Duke Energy Kentucky does not object to limited disclosure of the confidential information described herein, pursuant to an acceptable protective agreement, to the Attorney General or other intervenors with a legitimate interest in reviewing the same for the purpose of participating in this case.
5. This information was, and remains, integral to Duke Energy Kentucky's effective execution of business decisions. And such information is generally regarded as confidential or proprietary. Indeed, as the Kentucky Supreme Court has found, "information concerning the inner workings of a corporation is 'generally accepted as confidential or proprietary.'" *Hoy v. Kentucky Industrial Revitalization Authority*, 904 S.W.2d 766, 768 (Ky. 1995).
6. In accordance with the provisions of 807 KAR 5:001, Section 13(3), the Company is filing one copy of the Confidential Information separately under seal, and one copy without the confidential information included.
7. Duke Energy Kentucky respectfully requests that the Confidential Information be withheld from public disclosure for a period of ten years. This will assure that the Confidential

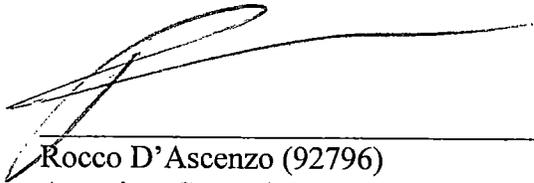
Information – if disclosed after that time – will no longer be commercially sensitive so as to likely impair the interests of the Company or its customers if publicly disclosed.

8. To the extent the Confidential information becomes generally available to the public, whether through filings required by other agencies or otherwise, Duke Energy Kentucky will notify the Commission and have its confidential status removed, pursuant to 807 KAR 5:001 Section 13(10)(a).

WHEREFORE, Duke Energy Kentucky, Inc., respectfully requests that the Commission classify and protect as confidential the specific information described herein.

Respectfully submitted,

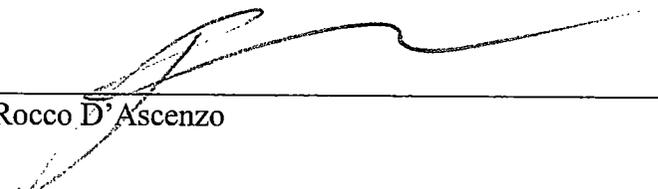
DUKE ENERGY KENTUCKY, INC.



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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing filing was served on the following via overnight mail, this 20 day of March 2017.

  
\_\_\_\_\_  
Rocco D'Ascenzo

Rebecca W. Goodman  
The Office of the Attorney General  
Utility Intervention and Rate Division  
700 Capital Avenue, Suite 20  
Frankfort, Kentucky 40601