

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF DUKE ENERGY	)	
KENTUCKY, INC. FOR A CERTIFICATE OF	)	CASE NO.
PUBLIC CONVENIENCE AND NECESSITY	)	2024-00189
AUTHORIZING THE PHASE THREE	)	
REPLACEMENT OF THE AM07 PIPELINE	)	

ORDER

On June 14, 2024, Duke Energy Kentucky, Inc. (Duke Kentucky) filed a petition, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878, requesting that the Commission grant confidential treatment for engineering drawings of the AM07 replacement pipeline and for certain pricing information submitted with its application. Duke Kentucky requests that the engineering drawings be accorded confidential treatment until such time as the facilities depicted therein are no longer in service, and that the pricing information be accorded confidential treatment for a period of ten years.

In support of its petition, Duke Kentucky argued that the engineering drawings show the precise location of critical natural gas pipeline infrastructure and that the disclosure of this information could threaten public safety.¹ Duke Kentucky argued that the pricing information includes confidential cost estimates the disclosure of which would put Duke Kentucky at a competitive disadvantage and interfere with its effective execution of business decisions.²

¹ Petition of Duke Energy Kentucky, Inc. for Confidential Treatment of Information Contained in its Application (filed June 14, 2024) (Petition) at 2.

² Petition at 3-4.

Having considered the petition and the material at issue, the Commission finds that the engineering drawings and pricing information are generally recognized as confidential or proprietary and meet the criteria for confidential treatment. The Commission further finds that the engineering drawings should be exempted from public disclosure pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(m)(1)(f) and (g), and that the pricing information should be exempted from public disclosure pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(c)(1).

IT IS THEREFORE ORDERED that:

1. Duke Kentucky's June 14, 2024 petition for confidential treatment is granted.
2. The engineering drawings granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection until such time as the facilities depicted therein are no longer in service or until further order of this Commission.
3. The pricing information and cost estimates granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for ten years or until further order of this Commission.
4. Use of the designated material granted confidential treatment by this Order in any Commission proceeding shall comply with 807 KAR 5:001, Section 13(9).
5. If the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment, Duke Kentucky shall inform the Commission and file with the Commission an unredacted copy of the designated material.

6. If a nonparty to this proceeding requests to inspect the material granted confidential treatment by this Order and the period during which the material has been granted confidential treatment has not expired, Duke Kentucky shall have 20 days from receipt of written notice of the request to demonstrate that the material still falls within the exclusions from disclosure requirements established in KRS 61.878. If Duke Kentucky is unable to make such demonstration, the requested material shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

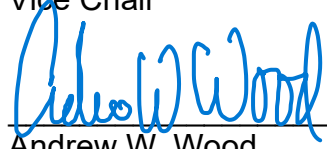
7. The Commission shall not make the requested material available for inspection for 30 days from the date of service of an Order finding that the material no longer qualifies for confidential treatment in order to allow Duke Kentucky to seek a remedy afforded by law.

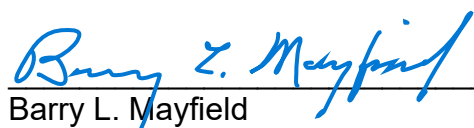
Entered on this 21st day of September, 2026.

PUBLIC SERVICE COMMISSION



Angie Hatton
Chair

Mary Pat Regan
Vice Chair

Andrew W. Wood
Commissioner

Barry L. Mayfield
Commissioner

ATTEST:



Justin McNeil
Executive Director

Case No. 2024-00189

Service List for Case 2024-00189

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