

**COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION**

In the matter of:

APPLICATION OF DUKE ENERGY)	
KENTUCKY, INC. FOR)	
AUTHORIZATION OF CHANGES)	CASE NO. 2019-00128
IN SERVICE TERRITORY WITH)	
OWEN COUNTY ELECTRIC COOPERATIVE)	

**PETITION OF DUKE ENERGY KENTUCKY, INC.
FOR CONFIDENTIAL TREATMENT OF INFORMATION
CONTAINED IN QUADRANGLE BOUNDARY MAP**

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 on the quadrangle boundary map provided by Duke Energy Kentucky in its correspondence to the Commission of August 5, 2019. The information included in the quadrangle boundary map for which Duke Energy Kentucky now seeks confidential treatment (Confidential Information) includes detailed information regarding critical infrastructure necessary to deliver safe and reliable electric service to its consumers. The public release of this information would create a security risk for both the Company and its customers.

In support of this Petition, Duke Energy Kentucky 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. Duke Energy Kentucky requests confidential treatment for the quadrangle boundary map as these reports show critical infrastructure information. This information needs to be kept confidential in order to continue to provide delivery of safe and reliable electric service to Duke Energy Kentucky customers. The release of this information would provide a security risk for the Company and its customers.

3. The information for which Duke Energy Kentucky is seeking confidential treatment was developed internally by Duke Energy Corporation personnel, is not on file with any public agency, and is not available from any commercial or other source outside Duke Energy Kentucky or its applicable regulated utility affiliates. The aforementioned information is distributed within Duke Energy Corporation only to those employees who must have access for business reasons, and is generally recognized as confidential and proprietary in the gas industry.

4. Duke Energy Kentucky does not object to limited disclosure of the confidential information described herein, pursuant to an acceptable protective agreement, the Staff 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, not to mention that of its sister utilities across six state jurisdictions. 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*, Ky., 904 S.W.2d 766, 768 (Ky. 1995).

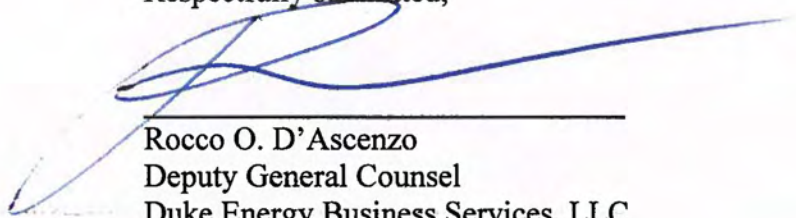
6. In accordance with the provisions of 807 KAR 5:001, Section 13(3), the Company is filing two copies of the Confidential Information separately under seal. Two copies of the map were sent previously to the Commission for its records with its August 5, 2019 correspondence.

7. Given the sensitive nature of this information, including the location of critical utility infrastructure, Duke Energy Kentucky respectfully requests that the Confidential Information be withheld from public disclosure indefinitely and until the facilities at issue are no longer in service. 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,



Rocco O. D'Ascenzo
Deputy General Counsel
Duke Energy Business Services, LLC
139 East Fourth Street/1303-Main
Cincinnati, OH 45202
(513) 287-4320
Rocco.D'Ascenzo@duke-energy.com

Counsel for Duke Energy Kentucky, Inc.

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing Petition of Duke Energy Kentucky, Inc.
has been served via electronic mail to the following party on this 14th day of August 2019.



Rocco O. D'Ascenzo

Rebecca W. Goodman
Executive Director
Office of Rate Intervention
Office of the Attorney General
1024 Capital Center Drive
Suite 200
Frankfort, KY 40601-8204
Rebecca.Goodman@ky.gov



Mailing Address:
139 East Fourth Street
1303 Main
Cincinnati, Ohio 45202
o: 513-287-4320
f: 513-287-4385

VIA UPS OVERNIGHT DELIVERY

August 5, 2019

Ms. Ruth Rowles
GIS Contractor
Kentucky Public Service Commission
211 Sower Blvd
Frankfort, KY 40601

Re: **Case No. 2019-00128**

In the Matter of the Application of Duke Energy Kentucky, Inc.'s for Authorization for Changes in Service Territory with Owen County Electric Cooperative (Elwood Rd.-Burlington, KY)

Dear Ms. Rowles:

Enclosed please find two copies signed and dated of the Burlington map you provided via e-mail on July 31, 2019. Also enclosed are two copies of the signed and dated maps designated in the original e-mail from Andrew Bowker on June 28, 2019 as Map #1 and Map Application p10.

These maps are being sent directly to you and not submitted electronically in the case per instruction in the e-mail of July 31, 2019.

Respectfully submitted,

Rocco D'Ascenzo (92796)
Deputy General Counsel
Duke Energy Kentucky, Inc.
139 East Fourth Street, 1303 Main
Cincinnati, Ohio 45202
Phone: (513) 287-4320
Fax: (513) 287-4385
Rocco.D'ascenzo@duke-energy.com
Counsel for Duke Energy Kentucky, Inc.

Owen Electric COOP
3 phase pole line

Tax Parcel:
038.09-00-015.00

Occupant:
Site Address 6105 ELWOOD AVE
Site Postal Zone BURLINGTON
Site State KY
Site Zip Code 41005
Primary Parcel Owner KINCART MAXWELL E
Secondary Parcel Owner
Mail Address 6105 ELWOOD AVE
Mail Sub-Address
Mail Postal Zone BURLINGTON
Zoom to

New pole barn @ 6105 Elwood ave.
Burlington, KY 41005
Highlighted area to change from Duke to
Owen Electric COOP Service territory.

APPROVED BY: Bede McKinnle DATE 7/29/2019
(OWEN ELECTRIC)
APPROVED BY: Tom Danner DATE 7/29/2019
(DUKE ENERGY, KY)

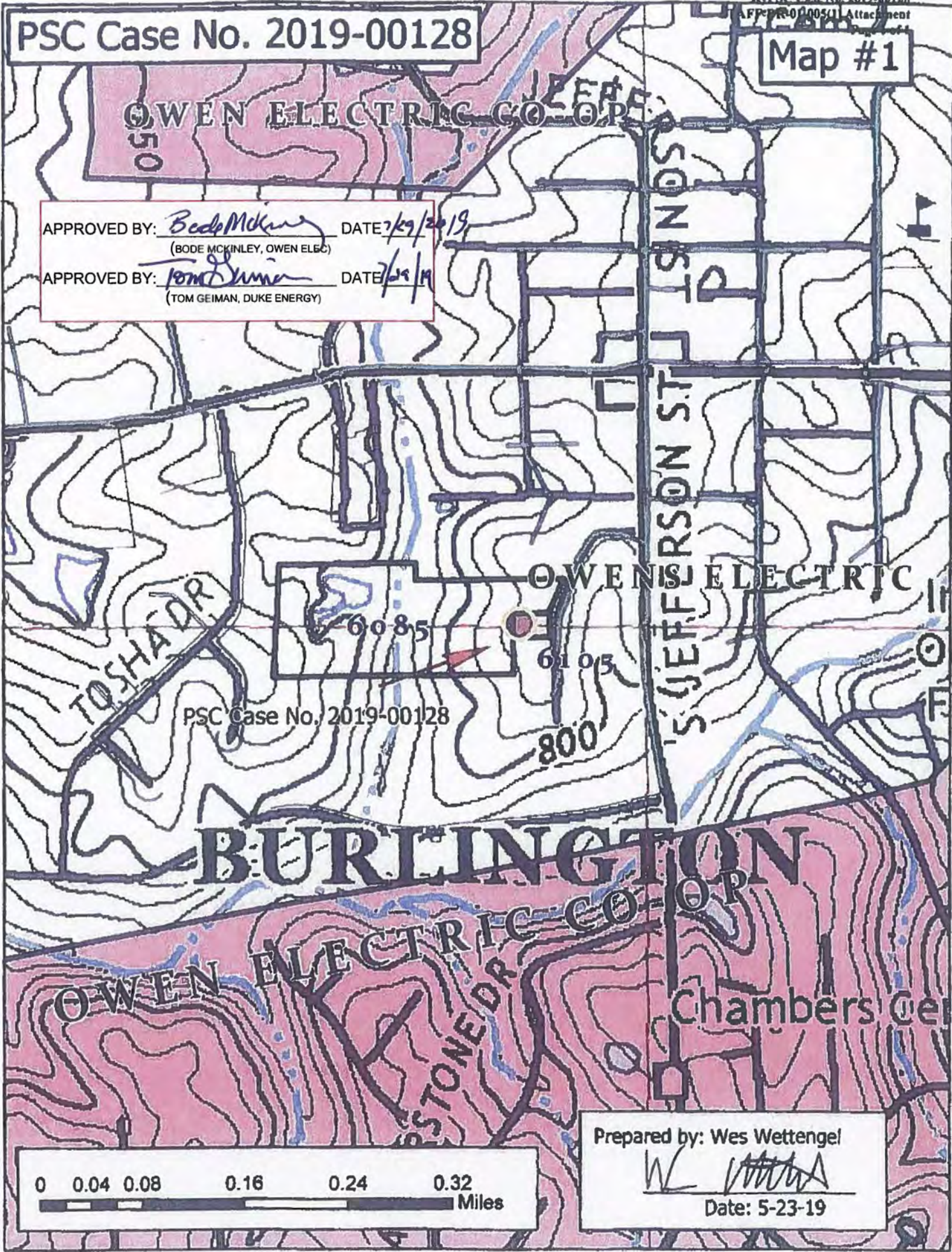
NW Corner - 39.025060, -84.726191
NE Corner - 39.025060, -84.725962
SE Corner - 39.024793, -84.725968
SW Corner - 39.024797, -84.726101

PSC Case No. 2019-00128

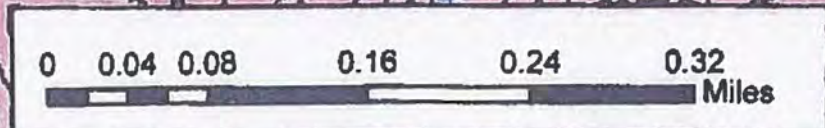
Map #1

APPROVED BY: Bode McKinley DATE 7/29/2019
 (BODE MCKINLEY, OWEN ELEC)

APPROVED BY: Tom Geiman DATE 7/29/19
 (TOM GEIMAN, DUKE ENERGY)



PSC Case No. 2019-00128



Prepared by: Wes Wettengel
Wes Wettengel
 Date: 5-23-19