

VERIFICATION

STATE OF OHIO)
) SS:
COUNTY OF HAMILTON)

The undersigned, Bruce Sailers, Director Jurisdictional Rate Administration, being duly sworn, deposes and says that he has personal knowledge of the matters set forth in the foregoing data requests and that the answers contained therein are true and correct to the best of his knowledge, information and belief.

Bruce J. Sailers
Bruce Sailers Affiant

Subscribed and sworn to before me by Bruce Sailers on this 8th day of May, 2024.

Emilie Sunderman
NOTARY PUBLIC

My Commission Expires: July 8, 2027

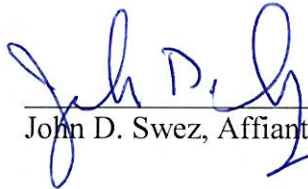


EMILIE SUNDERMAN
Notary Public
State of Ohio
My Comm. Expires
July 8, 2027

VERIFICATION

STATE OF NORTH CAROLINA)
) SS:
COUNTY OF MECKLENBURG)

The undersigned, John D. Swez, Managing Director, Trading and Dispatch, being duly sworn, deposes and says that he has personal knowledge of the matters set forth in the foregoing data requests, and that the answers contained therein are true and correct to the best of his knowledge, information and belief.



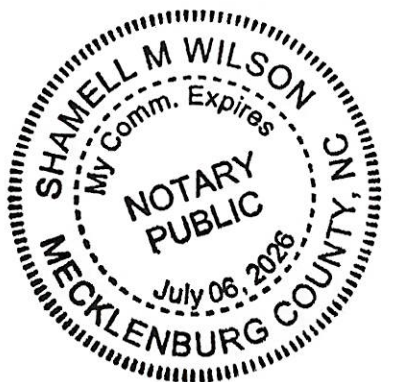
John D. Swez, Affiant

Subscribed and sworn to before me by John D. Swez on this 7th day of May, 2024.



NOTARY PUBLIC

My Commission Expires:



VERIFICATION

STATE OF NORTH CAROLINA)
)
COUNTY OF MECKLENBURG) **SS:**

The undersigned, Matt Kalembe, Vice President Integrated Resource Planning, being duly sworn, deposes and says that he has personal knowledge of the matters set forth in the foregoing data requests, and that the answers contained therein are true and correct to the best of his knowledge, information and belief.



Matt Kalembe Affiant

Subscribed and sworn to before me by Matt Kalembe on this 9 day of May,
2024.



NOTARY PUBLIC



My Commission Expires: July 21, 2024

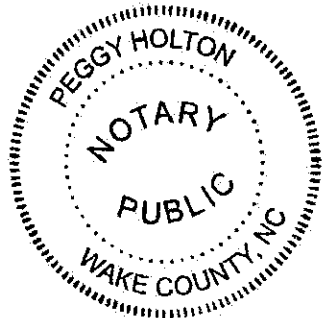
VERIFICATION

STATE OF NORTH CAROLINA)
) SS:
COUNTY OF WAKE)

The undersigned, Melissa Adams, Director Analytics, being duly sworn, deposes and says that she has personal knowledge of the matters set forth in the foregoing data requests, and that the answers contained therein are true and correct to the best of her knowledge, information and belief.

Melissa Adams
Melissa Adams, Affiant

Subscribed and sworn to before me by Melissa Adams on this 8th day of May, 2024.



Peggy Holton
NOTARY PUBLIC

My Commission Expires: 12/22/2026

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF DUKE ENERGY KENTUCKY, INC.)	
FOR AN ADJUSTMENT TO RIDER NM RATES AND)	CASE NO.
FOR TARIFF APPROVAL)	2023-00413

**PETITION FOR CONFIDENTIAL TREATMENT OF DUKE ENERGY KENTUCKY,
INC. FOR CERTAIN RESPONSES TO THE STAFF OF
THE PUBLIC SERVICE COMMISSION’S MAY 2, 2024
FIFTH REQUEST FOR INFORMATION**

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 Staff’s Fifth Request for Information, as requested by Commission Staff (Staff) in this case on May 2, 2024. The information that Staff seeks through discovery and for which Duke Energy Kentucky now seeks confidential treatment is contained in the Confidential attachment to the Company’s response to Data Request Nos. 1 and also referenced in Data Request No. 2 (STAFF-DR-05-001 Confidential Attachment or Confidential Information). The information for Duke Energy Kentucky seeks confidential treatment includes the names and addresses of active net metering customers, as well as customers with pending applications.

In support of this Petition, Duke Energy Kentucky states:

1. The Kentucky Open Records Act exempts from disclosure certain information pursuant to KRS 61.878(1)(a). To qualify for this exemption and, therefore, maintain the confidentiality of the information, a party must establish that the records in question “containing information of a personal nature where the public disclosure thereof would constitute a clearly

unwarranted invasion of personal privacy.” The Commission has previously held that, under this provision, residents have an expectation of privacy in regard to information that relates directly to service at specific homes.¹ The information identified herein qualifies for confidential treatment under KRS 61.878(1)(a) for the reasons set forth below.

2. STAFF-DR-05-001 Confidential Attachment contains individual customer information, including the names, addresses, and net metering status (either active or application pending) of individual customers of Duke Energy Kentucky, including many residential customers. The Company requests that this Confidential Information be afforded confidential treatment pursuant to KRS 61.878(1)(a), and additionally requests that STAFF-DR-05-001 Confidential Attachment be treated as confidential in its entirety pursuant to 807 KAR 5:001, Section 13(2)(a)(3)(b).

3. The Confidential Information is distributed within Duke Energy Kentucky, only to those who must have access for business reasons and is generally recognized as confidential and proprietary in the energy industry.

4. The Confidential Information for which Duke Energy Kentucky is seeking confidential treatment is not known outside of Duke Energy Corporation. Individual customers have a reasonable expectation that their individual names, addresses and net metering status (either active customer or applicant) not be publicly shared and would likely not anticipate such sharing. Publicly disclosing this information could result in customers feeling that their privacy was invaded and in customers receiving unwanted solicitations and/or comments. Treating this information as confidential is appropriate and consistent with the goal of KRS 61.878(1)(a) and with the customers’ likely expectations.

¹ See, *In the Matter of Electronic Application of Duke Energy Kentucky, Inc. for Approval of a Special Contract and for Waiver of 807 KAR 5:041, Section 6(2)(C)*, Case No. 2021-00192, Order, pp. 1-2 (August 9, 2022).

5. Duke Energy Kentucky does not object to limited disclosure of the Confidential Information described herein, pursuant to an acceptable protective agreement, with the Attorney General or other intervenors with a legitimate interest in reviewing the same for the purpose of participating in this case.

6. Furthermore, this information was, and remains, integral to Duke Energy Kentucky's effective execution of business decisions and safety of its systems. 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).

7. 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.

8. Duke Energy Kentucky respectfully requests that the Confidential Information be withheld from public disclosure indefinitely to preserve as confidential the personal information of customers. Information such as names, and addresses, as well as active net metering status, may remain unchanged as long as the individual is a customer of the Company. Therefore, an indefinite preservation of confidential information for this personal information is reasonable.

9. 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 Confidential Information described herein.

Respectfully submitted,

/s/ Larisa M. Vaysman

Rocco O. D'Ascenzo (92796)

Deputy General Counsel

Larisa M. Vaysman (98944)

Associate General Counsel

Duke Energy Business Services LLC

139 East Fourth Street, 1303-Main

Cincinnati, Ohio 45202

Phone: (513) 287-4010

Fax: (513) 370-5720

larisa.vaysman@duke-energy.com

Counsel for Duke Energy Kentucky, Inc.

CERTIFICATE OF SERVICE

This is to certify that the foregoing electronic filing is a true and accurate copy of the document in paper medium; that the electronic filing was transmitted to the Commission on May 14, 2024; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; and that submitting the original filing to the Commission in paper medium is no longer required as it has been granted a permanent deviation.²

/s/ Larisa M. Vaysman
Counsel for Duke Energy Kentucky, Inc.

²*In the Matter of Electronic Emergency Docket Related to the Novel Coronavirus COVID-19*, Order, Case No. 2020-00085 (Ky. PSC July 22, 2021).

KyPSC Case No. 2023-0413
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**Duke Energy Kentucky
Case No. 2023-00413
STAFF's Fifth Set Data Requests
Date Received: May 2, 2024**

**PUBLIC STAFF-DR-05-001
(As to Attachment only)**

REQUEST:

Refer to Bruce Sailors' Direct Testimony at 7. Provide a list of the names and addresses of the current customer-generators that are being billed by Duke Kentucky for net metering service pursuant to Net Metering Rider Tariff.

RESPONSE:

CONFIDENTIAL PROPRIETARY TRADE SECRET (As to Attachment only)

Table 1 in Sailors' Direct Testimony is developed with data as of October 23, 2023. Please see STAFF-DR-05-001 Confidential Attachment, Active tab, for the list requested.

PERSON RESPONSIBLE: Bruce L. Sailors

**CONFIDENTIAL PROPRIETARY TRADE
SECRET**

**STAFF-DR-05-001
CONFIDENTIAL ATTACHMENT**

FILED UNDER SEAL

**Duke Energy Kentucky
Case No. 2023-00413
STAFF's Fifth Set Data Requests
Date Received: May 2, 2024**

**PUBLIC STAFF-DR-05-002
(As to Attachment only)**

REQUEST:

Refer to Bruce Sailers' Direct Testimony at 8. Provide a list of the names and addresses of customers that are currently queued to become customer-generators pursuant to Duke Kentucky's Net Metering Rider Tariff.

RESPONSE:

CONFIDENTIAL PROPRIETARY TRADE SECRET (As to Attachment only)

Table 1 in Sailers' Direct Testimony is developed with data as of October 23, 2023. Please see STAFF-DR-05-001 Confidential Attachment, Pending tab, for the list requested.

PERSON RESPONSIBLE: Bruce L. Sailers

Duke Energy Kentucky
Case No. 2023-00413
STAFF's Fifth Set Data Requests
Date Received: May 2, 2024

STAFF-DR-05-003

REQUEST:

Refer to Case No. 2021-002452 and the carbon pricing used in the Integrated Resource Plan (IRP). Explain how Duke Kentucky reached an assumption of \$5 for the carbon pricing. Include in the response any work papers, specific analysis or assumptions for the pricing and carbon price projections.

RESPONSE:

The Duke Energy CO₂ price was generally aligned with various past legislative initiatives to incentivize lower carbon resource selection and dispatch decisions. Based on the earliest expected time that legislation or regulations were expected to be proposed, passed, and implemented, the CO₂ price was, at the time, set to begin in 2025. An ultimate CO₂ price would be dependent on many factors such as fuel and technology cost, tax incentives, new regulations as well as pace of reduction goals.

Specifically, for the 2021 IRP, through a series of runs, it was determined that, starting with a price of 5 \$/ton for carbon in 2025 and increasing at a rate of 5 \$/ton per year increased the selection of renewables and zero emitting load follow resources (ZELFR) such as small modular reactors (SMRs) in the 2035 timeframe.

PERSON RESPONSIBLE: Matthew Kalemba

Duke Energy Kentucky
Case No. 2023-00413
STAFF's Fifth Set Data Requests
Date Received: May 2, 2024

STAFF-DR-05-004

REQUEST:

Provide carbon pricing projections for calendar years 2024 through 2030.

RESPONSE:

The 2021 IRP assumed \$5/ton CO₂ growing at \$5/ton per year, so the 2021 IRP assumed the following:

Year	CO ₂ Price, \$/ton
2024	\$0
2025	\$5
2026	\$10
2027	\$15
2028	\$20
2029	\$25
2030	\$30

PERSON RESPONSIBLE: Matthew Kalemba

**Duke Energy Kentucky
Case No. 2023-00413
STAFF's Fifth Set Data Requests
Date Received: May 2, 2024**

STAFF-DR-05-005

REQUEST:

Refer to Bruce Sailers' Direct Testimony at 19-20. Provide the workpapers from the demand side management (DSM) filing referenced for the calculation of the avoided transmission values and the avoided distribution capacity values.

RESPONSE:

Please see previously provided responses to KSES-DR-02-015 CONF and KSES-DR-02-024 CONF. For additional information, see the response to KSES-DR-01-004(b).

PERSON RESPONSIBLE:

Melissa Adams
Bruce L. Sailers

Duke Energy Kentucky
Case No. 2023-00413
STAFF's Fifth Set Data Requests
Date Received: May 2, 2024

STAFF-DR-05-006

REQUEST:

Confirm that, without DSM programs, Duke Kentucky would have a capacity deficit in 2025. If not confirmed, provide the correct year.

RESPONSE:

Duke Energy Kentucky, as a FRR capacity market participant, could have fluctuations in either in its initial or final Company FRR Plan due to fluctuations in the Company's load forecast, generation outage rates, or PJM rules related to capacity accreditation or other changes. For the 2024/2025 delivery year, the Company utilized approximately 3.2 MW of demand response and additionally purchased a bilateral capacity purchase to satisfy its final FRR Plan. Thus, absent the 3.2 MW demand response in the Company's final FRR Plan, the Company would have required an additional 3.2 MW bilateral capacity purchase. Finally, note that although the Company has already submitted its initial FRR Plan for the 2025/2026 Delivery year, the final FRR Plan won't be determined until 2025.

PERSON RESPONSIBLE: John Swez