

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF DUKE	)	
ENERGY KENTUCKY, INC. FOR A	)	
CERTIFICATE OF PUBLIC CONVENIENCE	)	CASE NO.
AND NECESSITY TO CONSTRUCT GAS	)	2026-00114
DISTRIBUTION LINES IN CAMPBELL,	)	
PENDLETON, AND BRACKEN COUNTIES,	)	
KENTUCKY AND OTHER GENERAL RELIEF	)	

MOTION FOR CONFIDENTIAL TREATMENT

Comes now Duke Energy Kentucky, Inc. (Duke Energy Kentucky or Company), by counsel, pursuant to 807 KAR 5:001, Section 13(2), KRS 61.878(1)(c), and other applicable law, and moves the Public Service Commission of Kentucky (“Commission”) for an Order granting confidential treatment to certain information filed in response to Commission Staff’s Second Request for Information issued on June 26, 2026 (“Staff’s Second Request”). In support of its motion, Duke Energy Kentucky hereby states as follows:

1. On May 4, 2026, Duke Energy Kentucky filed its Application for a certificate of public convenience and necessity to construct gas distribution lines in Campbell, Pendleton, and Bracken Counties. Commission Staff filed their First Requests for Information on May 29, 2026 with the Company filing their responses on June 16, 2026. Subsequently, on June 26, 2026, Commission Staff filed their Second Requests for Information. Duke Energy Kentucky is filing its responses contemporaneously with this motion.

2. Duke Energy Kentucky's responses to Staff's Second Request include items which involve the discussion or identification of information that is confidential and proprietary including:

- Duke Energy Kentucky's Response to Staff's Second Request, Item 7, provides confidential customer information including classes, service addresses, and the estimated impact of the project on customers' monthly bills.

3. The information described above is designated as the "Confidential Information" for which protection is sought under KRS 61.878 and 807 KAR 5:001, Section 13(2)(a)(3)(b). Disclosure of the Confidential Information would permit an unfair commercial advantage to third parties and present an unnecessary and unreasonable infringement upon Duke Energy Kentucky's and its customers' legitimate privacy concerns.

4. The Kentucky Open Records Act and applicable precedent exempts the Confidential Information from disclosure, including KRS 61.878(1)(a); KRS 61.878(1)(c)(1); *Zink v. Department of Workers Claims, Labor Cabinet*, 902 S.W.2d 825 (Ky. App. 1994); *Hoy v. Kentucky Industrial Revitalization Authority*, 907 S.W.2d 766, 768 (Ky. 1995). The public disclosure of the Confidential Information would harm Duke Energy Kentucky's competitive position in the marketplace and would be an invasion of the personal privacy of the customers. Additionally, the Confidential Information is publicly unavailable. For these reasons, the Confidential Information satisfies both the statutory and common law standards for affording confidential treatment.

5. Staff's Second Request, Item 7 requires Duke Energy Kentucky to provide information regarding customer classes, service addresses, and the estimated impact of the project on customers' monthly bills. Duke Energy Kentucky is providing a document containing the requested information and requests that this Confidential Attachment be afforded confidential treatment pursuant to KRS 61.878(1)(a) and additionally requests this attachment be treated as confidential in its entirety pursuant to 807 KAR 5:001, Section 13(2)(a)(3)(b). The information contained in the Confidential Attachment shows the names, addresses, and usage information of the affected 27 customers and is not publicly available. Disclosure of the names and addresses of the customers would create an unwarranted invasion of personal privacy for these individuals that are not a party to this proceeding.

6. Overall, the Confidential Information consists of sensitive and proprietary information that is retained by Duke Energy Kentucky on a "need-to-know" basis. The Confidential Information is distributed within Duke Energy Kentucky only to those employees who must have access for business reasons and is generally recognized as confidential and proprietary in the energy industry.

7. Duke Energy Kentucky does not object to limited disclosure of the Confidential Information, pursuant to an acceptable confidentiality and nondisclosure agreement, to intervenors with a legitimate interest in reviewing same for the sole purpose of participating in this case. Duke Energy Kentucky reserves the right to object to providing the Confidential Information to any intervenor if said provision could result in liability to Duke Energy Kentucky under any Confidentiality Agreement or Non-Disclosure Agreement.

8. In accordance with the provisions of 807 KAR 5:001, Section 13(2), Duke Energy Kentucky has noted in the public version of its responses that it is filing confidential responses. Since Duke Energy Kentucky is requesting confidential treatment of the entirety of the document, the document is not being filed with highlights.

9. In accordance with the provisions of 807 KAR 5:001, Section 13(2), Duke Energy Kentucky respectfully requests that the Confidential Information be withheld from public disclosure for an indefinite period.

10. If, and to the extent, the Confidential Information becomes publicly available or otherwise no longer warrants confidential treatment, Duke Energy Kentucky will notify the Commission and have its confidential status removed, pursuant to 807 KAR 5:001 Section 13(10).

WHEREFORE, on the basis of the foregoing, Duke Energy Kentucky respectfully requests that the Commission classify and protect as confidential the Confidential Information described herein for an indefinite period.

This the 14th day of July 2026.

Respectfully submitted,

/s/Meredith L. Cave

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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 July 14, 2026; 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.¹

/s/Meredith L. Cave
Counsel for Duke Energy Kentucky, Inc.

¹ *In the Matter of Electronic Emergency Docket Related to the Novel Coronavirus COVID-19*, Order, Case No. 2020-00085 (Ky. P.S.C. July 22, 2021).