

**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)	
AND NECESSITY FOR TO CONSTRUCT)	CASE NO.
GAS DISTRIBUTION LINES IN CAMPBELL,)	2026-00114
PENDLETON, AND BRACKEN COUNTIES)	
KENTUCKY AND OTHER GENERAL)	
RELIEF)	

MOTION FOR CONFIDENTIAL TREATMENT

Comes now Duke Energy Kentucky, Inc. (“Duke Energy Kentucky”), by and through counsel, pursuant to KRS 61.878, 807 KAR 5:001, Section 13, and other applicable law, and for its motion requesting that the Kentucky Public Service Commission (“Commission”) afford confidential treatment to certain information filed in its application. In support of its motion, Duke Energy Kentucky hereby states as follows:

1. Duke Energy Kentucky’s Application includes items which involve the discussion or identification of information that is confidential and proprietary, including the following:
 - Application, Exhibit 4 (“Exhibit 4”) includes maps depicting the location of the proposed extensions, engineering drawings, preliminary work specifications, and a full description of the proposed location, route to the existing delivery system, or routes of the proposed construction, and the location of the new pressure station; and
 - Application, Exhibit 2, Direct Testimony of David Klein, Attachment DAK-2. (“Attachment DAK-2”) includes a detailed breakdown of the cost of construction of the proposed natural gas mains extension.

2. Collectively, the information described above is designated as the “Confidential Information” for which protection is sought under KRS 61.878(1). Disclosure of the Confidential Information would present an unnecessary and unreasonable infringement upon Duke Energy Kentucky’s legitimate privacy concerns.

3. The Kentucky Open Records Act and applicable precedent exempts the Confidential Information from disclosure, including KRS 61.878(1)(c); KRS 61.878(1)(d); KRS 61.878(1)(m); *Zink v. Department of Workers Claims, Labor Cabinet*, 902 S.W.2d 825 (Ky. App. 1994); and *Hoy v. Kentucky Industrial Revitalization Authority*, 907 S.W.2d 766, 768 (Ky. 1995). The Confidential Information is publicly unavailable, and the confidentiality of this information is critical to Duke Energy Kentucky’s effective execution of business decisions and strategy, and the safety of its infrastructure. For these reasons, the Confidential Information satisfies both the statutory and common law standards for affording confidential treatment.

4. Exhibit 4 contains maps of the proposed distribution lines. If this information is disclosed, the information could be utilized to commit or further a criminal or terrorist act, disrupt critical public utility systems, and/or intimidate or coerce the civilian population. Disclosure of the Confidential Information could also result in the disruption of innumerable other infrastructure systems which relate to, or rely upon, the safe and reliable provision of utilities in the area. Moreover, the disclosure of the Confidential Information could have a reasonable likelihood of threatening the public safety. Put plainly, maintaining the confidentiality of the information in Exhibit 4 is necessary to protect the interests of Duke Energy Kentucky, its customers, and the region at large.

5. Regarding the costs of construction included in Attachment DAK-2, disclosure of this information would harm Duke Energy Kentucky’s competitive position in the marketplace by

offering competitors insights into the costs anticipated by Duke Energy Kentucky. The Company has not executed any contracts for the project and if the information is disclosed bidders could use the projected costs to manipulate the bidding process. The information is not otherwise publicly available and the confidentiality of this information is critical to Duke Energy Kentucky's effective execution of the proposed project and budgeting strategy.

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 is filing separately under seal one (1) unredacted copy of each of the attachments. Since Duke Energy Kentucky is requesting confidential protection for the entirety of the documents, Duke Energy Kentucky is not highlighting the documents. Duke Energy Kentucky is noting in the public version of the filing all of the confidential information.

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 4th day of May 2026

Respectfully submitted,



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CERTIFICATE OF SERVICE

This is to certify that the foregoing electronic filing was transmitted to the Commission on May 4, 2026, and that there are no parties that the Commission has excused from participation by electronic means in this proceeding. Pursuant to prior Commission Orders, no paper copies of this filing will be made.

A handwritten signature in blue ink that reads "Meredith Case". The signature is written in a cursive style.

Counsel for Duke Energy Kentucky, Inc.