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**Public Service Commission**  
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March 12, 2009

Hon. Amy B. Spiller  
139 East Fourth Street  
Room 25 ATII  
Cincinnati, Ohio 45202

Re: Duke Energy Kentucky, Inc. - Petition for Confidential Treatment received  
December 1, 2008 - PSC Reference – Case No. 2008-00495

Dear Ms. Spiller:

The Public Service Commission has received the Petition for Confidential Treatment you filed on December 1, 2008 on behalf of Duke Energy Kentucky, Inc. to protect certain information filed with the Commission as confidential under Section 7 of 807 KAR 5:001 and KRS 61.870 et. seq. The information you seek to have treated as confidential is identified as certain information filed in Duke Energy Kentucky, Inc.'s attachment to its Application for Energy Efficiency Plan/Program, and more particularly described as Attachment RGS-3 to the Direct Testimony of Richard Stevie; and Attachment DF-1 to Direct Testimony of David Freeman. Your justification for having the Commission handle this material as confidential is that the information is confidential and proprietary information and contains projected costs; sales and revenue requirements; avoided costs; and load impacts, as well as "IRP" including O&M costs, fuel cost projections, power market pricing, capacity, capital costs; projected sales/revenues; screening curves, modeling tools; and transmission system maps.

Based on a review of the information and pursuant to KRS 61.878 and 807 KAR 5:001, section 7, the Commission has determined that the information you seek to keep confidential is of a proprietary nature, which if publicly disclosed would permit an unfair commercial advantage to your client's competitors. Therefore, the information requested to be treated as confidential meets the criteria for confidential protection and will be maintained as a nonpublic part of the Commission's file in this case. The procedure for usage of confidential materials during formal proceedings may be found at Section 7(8) of 807 KAR 5:001.

If the information becomes publically available or no longer warrants confidential treatment, Duke Energy Kentucky, Inc. is required by Section 8(9)(a) of 807 KAR 5:001 to inform the Commission so that the information may be placed in the public record.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff DeFouen".

Jeff DeFouen  
Executive Director

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cc: Parties of Record