



Steven L. Beshear
Governor

Leonard K. Peters
Secretary
Energy and Environment Cabinet

Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
Fax: (502) 564-3460
psc.ky.gov

David L. Armstrong
Chairman

James W. Gardner
Vice Chairman

John W. Clay
Commissioner

March 20, 2009

Hon. Rocco D'Ascenzo
139 E. Fourth Street, 25 ATII
P.O. Box 960
Cincinnati, Ohio 45202

Re: Duke Energy Kentucky, Inc. - Petition for Confidential Treatment received
February 11, 2009 - PSC Reference – Case No. 2008-00522

Dear Mr. D'Ascenzo:

The Public Service Commission has received the Petition for Confidential Treatment you filed on February 11, 2009 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 contained in Duke Energy Kentucky, Inc.'s Responses to Data Request Nos. 5, 6, 9 and 25(b) of the Commission's Order Appendix B dated January 23, 2009, and more particularly described as (No. 5) projected fuel requirements for 2009-2010; (No. 6) forecasted sales revenues; (No. 9) planned maintenance schedules; and (No. 25b) bid analysis information.

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,


Jeff Derouen
Executive Director

kg/
cc: Parties of Record