

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF DUKE ENERGY KENTUCKY,)	
INC. TO IMPLEMENT A HEDGING PROGRAM TO)	CASE NO.
MITIGATE PRICE VOLATILITY IN THE)	2015-00025
PROCUREMENT OF NATURAL GAS)	

ORDER

This matter arises on petitions filed on January 28, 2015, and February 13, 2015, by Duke Energy Kentucky, Inc. (Duke Kentucky), pursuant to 807 KAR 5:001, Section 13, requesting that designated materials filed with the Commission be afforded confidential protection for ten years.

In support of its petition filed on January 28, 2015, Duke Kentucky states that public disclosure of the designated materials contained in the Natural Gas Hedging Plan filed with its application would result in competitive injury by alerting suppliers to how much gas Duke Kentucky intends to purchase, which could allow suppliers to raise the cost of their hedging instruments.

In support of its petition filed February 13, 2015, Duke Kentucky states that public disclosure of the designated materials contained in its annual report on hedging activity for April 1, 2014, through December 31, 2014, and its report on ongoing gas hedging activity for future gas deliveries would result in competitive injury by alerting suppliers to how much gas Duke Kentucky intends to purchase, which could allow suppliers to raise the cost of their hedging instruments.

Having considered the petitions and the materials at issue, the Commission finds that the designated materials meet the criteria for confidential treatment and are exempted from public disclosure pursuant to KRS 61.878(1)(c)(1).

IT IS THEREFORE ORDERED that:

1. Duke Kentucky's January 28, 2015, and February 13, 2015 petitions for confidential protection are granted.
2. The designated materials shall not be placed in the public record or made available for public inspection for ten years, or until further Orders of this Commission.
3. Use of the designated materials in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).
4. Duke Kentucky shall inform the Commission if the designated materials become publicly available or no longer qualify for confidential treatment.
5. If a non-party to this proceeding requests to inspect the designated materials granted confidential treatment by this Order and the period during which the materials have been granted confidential treatment has not expired, Duke Kentucky shall have 30 days from receipt of written notice of the request to demonstrate that the materials still fall within the exclusions from disclosure requirements established in KRS 61.878. If Duke Kentucky is unable to make such demonstration, the requested materials shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.
6. The Commission shall not make the designated materials available for inspection for 30 days following an Order finding that the materials no longer qualify for confidential treatment in order to allow Duke Kentucky to seek a remedy afforded by law.

By the Commission

ENTERED
JAN 17 2019
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


Executive Director

*Adele Frisch
Duke Energy Kentucky, Inc.
139 East Fourth Street
Cincinnati, OH 45201

*Kristen Ryan
Senior Paralegal
Duke Energy Kentucky, Inc.
139 East Fourth Street
Cincinnati, OH 45201

*Duke Energy Kentucky, Inc.
139 East Fourth Street
Cincinnati, OH 45202

*Rocco O D'Ascenzo
Duke Energy Kentucky, Inc.
139 East Fourth Street
Cincinnati, OH 45201