

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC 2018 INTEGRATED RESOURCE)	CASE NO.
PLAN OF DUKE ENERGY KENTUCKY, INC.)	2018-00195

ORDER

On May 17, 2019, Duke Energy Kentucky (Duke Kentucky) filed a petition, pursuant to 807 KAR 5:001, Section 13, requesting that the Commission grant confidential protection for ten years for the information contained in attachments to Item 1 of its response to the Commission's May 7, 2019 data request.

As a basis for its request, Duke Kentucky states that the information for which it seeks confidentiality was created and compiled for use in making investment decisions to serve its customers. Duke Kentucky contends making this information public would mute the impact of these decisions and give other businesses, including competitors, an opportunity to adopt this information for their own uses and dilute the return of Duke Kentucky's investments.

Having considered the petition and the materials at issue, the Commission finds that the designated materials described in Duke Kentucky's May 17, 2019 petition 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 May 17, 2019 petition for confidential protection is 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



ATTEST:

For [Signature]

Executive Director

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