

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF DUKE ENERGY)	
KENTUCKY, INC. FOR AUTHORITY TO 1))	
ADJUST NATURAL GAS RATES 2) APPROVAL)	CASE NO.
OF A DECOUPLING MECHANISM 3) APPROVAL)	2018-00261
OF NEW TARIFFS 4) AND FOR ALL OTHER)	
REQUIRED APPROVALS, WAIVERS, AND)	
RELIEF)	

ORDER

This matter arises on a petition filed on January 23, 2019, 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 an indefinite period.

In support of its petition, Duke Kentucky states that public disclosure of the designated materials contained in the Attachment to the Rebuttal Testimony of Gary J. Hebbeler is prohibited by KRS 61.878(1)(m)(1)(f) because the materials contain the whereabouts of critical infrastructure, as it includes a critical transmission system map, which disclosure would threaten public safety. Duke Kentucky asserts that the information shows the location of the critical energy infrastructure as well as the interconnected nature of the system, which has been granted confidential treatment in the past.

Having considered the petition and the material at issue, the Commission finds that the designated materials described in Duke Kentucky's January 23, 2019 petition meet

the criteria for confidential treatment and are exempted from public disclosure pursuant to KRS 61.878(1)(m)(1)(f).

IT IS THEREFORE ORDERED that:

1. Duke Kentucky's January 23, 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 an indefinite period, 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
FEB 28 2020
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Acting General Counsel

Case No. 2018-00261

*L Allyson Honaker
Goss Samford, PLLC
2365 Harrodsburg Road, Suite B325
Lexington, KENTUCKY 40504

*E. Minna Rolfes-Adkins
Paralegal
Duke Energy Kentucky, Inc.
139 East Fourth Street
Cincinnati, OH 45201

*David S Samford
Goss Samford, PLLC
2365 Harrodsburg Road, Suite B325
Lexington, KENTUCKY 40504

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

*Debbie Gates
Duke Energy Kentucky, Inc.
139 East Fourth Street
Cincinnati, OH 45201

*William Don Wathern, Jr.
Director Rates & Reg. Strategy
Duke Energy Kentucky, Inc.
139 East Fourth Street
Cincinnati, OH 45201

*Kent Chandler
Assistant Attorney General
Office of the Attorney General Office of Rate
700 Capitol Avenue
Suite 20
Frankfort, KENTUCKY 40601-8204

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

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