

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)	)	CASE NO.
APPROVAL OF A DECOUPLING MECHANISM	)	2018-00261
3) APPROVAL OF NEW TARIFFS 4) AND FOR	)	
ALL OTHER REQUIRED APPROVALS,	)	
WAIVERS, AND RELIEF	)	

ORDER

Duke Energy Kentucky, Inc. (Duke Kentucky) has filed multiple motions, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(c)(1), requesting that the Commission grant confidential protection for 20 years for materials filed in this matter.

On August 31, 2018, Duke Kentucky filed a motion requesting that the Commission grant confidential protection for its Attachments to Filing Requirement 807 KAR 5:001, Section 16(7)(o) [Tab 35]; and Attachments to the Direct Testimony of Renee H. Metzler (RHM-1(a)–(g) and RHM-7(a)–(c)). In support of its motion, Duke Kentucky argues that the information for which it seeks confidential protection contains detailed operations and maintenance and capital expenses incurred by it on a monthly basis, financial projections, information relating to the compensation of nonsenior executive employees and shared employees of Duke Kentucky, and personal compensation figures and policies. Duke Kentucky argues that public disclosure of this information would provide an unfair commercial advantage to its competitors and potentially inhibit its ability to manage its costs.

On September 14, 2018, Duke Kentucky filed a motion requesting that the Commission grant confidential protection for its responses to Commission Staff's First Request for Information, Items 8, 48a.(9), 50, 51, 53, 65, 67, 68, and 69. Duke Kentucky argues that the information for which it seeks confidential treatment contains detailed information pertaining to the internal policies and procedures, personal compensation information of Duke Kentucky employees, and contracts with outside vendors. Duke Kentucky argues that public disclosure of this information would unfairly harm Duke Kentucky's competitive position in the marketplace.

On October 24, 2018, Duke Kentucky filed a motion requesting that the Commission grant confidential protection for its responses to Commission Staff's Second Request for Information, Items 35, 72, and 86 and its responses to the Attorney General's First Request for Information, Items 89, 96, 109, 111, 112, and 115. In support of its motion, Duke Kentucky argues that information for which it seeks confidential treatment contains detailed information pertaining to the internal policies and procedures, personal compensation information of Duke Kentucky employees, contracts with outside vendors, and other confidential information. In particular, Duke Kentucky seeks confidential treatment for information regarding salary, fringe benefits, and incentive pay for specific employees; copies of Duke Kentucky's federal income tax returns; credit rating information; and information subject to copyrights of persons other than itself. Duke Kentucky argues that public disclosure of this information would unfairly harm Duke Kentucky's competitive position in the marketplace, and this information is generally recognized as confidential and proprietary.

On January 22, 2019, Duke Kentucky filed a motion requesting that the Commission grant confidential protection for its Attachment to the Rebuttal Testimony of Gary J. Hebbeler (GJH-Rebuttal-1). In support of its motion, Duke Kentucky argues that the information for which it seeks confidential treatment contains the location of Critical Energy Infrastructure Information and interconnected nature of the system. Duke Kentucky argues that public disclosure of this information could interfere with the delivery of safe and reliable service to its customers.

On February 22, 2019, Duke Kentucky filed a motion requesting that the Commission grant confidential protection for its response to Commission Staff's Post-Hearing Data Request Item 29. In support of its motion, Duke Kentucky argues that information for which it seeks confidential treatment contains detailed salary and wage information for Duke Kentucky employees. Duke Kentucky argues that this is personal and private information that should not be in the public realm.

Having considered the motions and the material at issue, the Commission finds that Duke Kentucky's Attachment to Filing Requirement 807 KAR 5:001, Section 16(7)(o) [Tab 35]; Attachments to Direct Testimony of Renee H. Metzler (RHM-1(a)-(g) and RHM-7(a)-(c)); responses to Commission Staff's First Request for Information, Items 8, 48a.(9), 50, 51, 53, 65, 67, 68, and 69; responses to Commission Staff's Second Request for Information, Items 35, 72, and 86; responses to the Attorney General's First Request for Information, Items 89, 96, 109, 111, 112, and 115; Attachment to the Rebuttal Testimony of Gary J. Hebbeler (GJH-Rebuttal-1); and response to Commission Staff's Post-Hearing Data Request, Item 29; are generally recognized as confidential or proprietary; this

material therefore meets the criteria for confidential treatment and is exempted from public disclosure pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(c)(1).

IT IS THEREFORE ORDERED that:

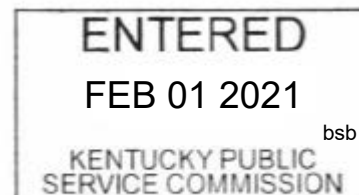
1. Duke Kentucky's motions for confidential protection are granted.
2. The designated material shall not be placed in the public record or made available for public inspection for 20 years or until further Order of this Commission.
3. Use of the designated material granted confidential treatment by this Order 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 material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment.
5. If a nonparty to this proceeding requests to inspect the material granted confidential treatment by this Order and the period during which the material has 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 material still falls within the exclusions from disclosure requirements established in KRS 61.878. If Duke Kentucky is unable to make such demonstration, the requested material shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.
6. The Commission shall not make the requested material available for inspection for 30 days from the date of service of an Order finding that the material no

longer qualifies for confidential treatment in order to allow Duke Kentucky to seek a remedy afforded by law.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

By the Commission

Vice Chairman Kent A. Chandler did not participate in the deliberations or decision concerning this case.



ATTEST:

A handwritten signature in blue ink that reads "Linda C. Lindwell". The signature is written in a cursive style.

Executive Director

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