

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC BACK-UP POWER SUPPLY)	CASE NO.
PLAN OF DUKE ENERGY KENTUCKY, INC.)	2021-00086

O R D E R

On April 30, 2021, Duke Energy Kentucky (Duke Kentucky) filed a petition, pursuant to KRS 61.878 and 807 KAR 5:001, Section 13, requesting that the Commission grant confidential treatment for a certain response to the Commission's April 14, 2021 data requests. Specifically, Duke Kentucky requests confidential treatment of its response to Data Request No. 3 for ten years.

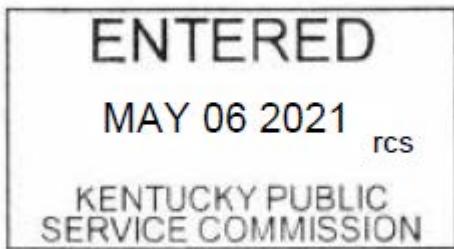
In support of its petition, Duke Kentucky contends that the information in its response encompasses internal analysis and evaluation of ongoing risk hedging strategies, which contains sensitive data related to the costs associated with its financial hedging agreements. According to Duke Kentucky, public disclosure of this information would grant Duke Kentucky's vendors and potential competitors access to its business assumptions and future cost estimations. If the information were to enter the public domain, it would put Duke Kentucky at a competitive disadvantage during pricing, thereby harming Duke Kentucky and ultimately its customers.

Having considered the motion and the material at issue, the Commission finds that the aforementioned designed material is generally recognized as confidential or proprietary; it therefore meets the criteria for confidential treatment and is exempted from public disclosure pursuant to KRS 61.878 and 807 KAR 5:001, Section 13.

IT IS THEREFORE ORDERED that:

1. Duke Kentucky's petition for confidential treatment is granted.
2. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for ten 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 comply 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 for Duke Kentucky to seek a remedy afforded by law.

By the Commission



ATTEST:


Linda G. Andwell
Executive Director

Case No. 2021-00086

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