



Mailing Address:
139 East Fourth Street
1303-Main
Cincinnati, Ohio 45202

o: 513-287-4010
f: 513-370-5720

Larisa.Vaysman@duke-energy.com
Larisa M. Vaysman
Associate General Counsel

VIA EMAIL: PSCED@ky.gov

July 24, 2026

Ms. Linda C. Bridwell
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, Kentucky 40602-0615

RECEIVED

JUL 24 2026

**PUBLIC SERVICE
COMMISSION**

Re: Case No. 2026-00130

In the Matter of Nicolas Pangallo v. Duke Energy Kentucky, Inc.

Dear Ms. Bridwell:

Duke Energy Kentucky, Inc. hereby submits electronically pursuant to 807 KAR 5:001, Section 8, its Responses to Staff's First Request for Information in the above-captioned case.

In addition, please find Duke Energy Kentucky's Petition for Confidential Treatment. The confidential information will be submitted under seal.

I certify that the electronically filed documents are true and accurate copies of the original documents. A paper copy of this filing was mailed via U.S. Mail on July 24, 2026 to the Complainant.

Respectfully submitted,

/s/Larisa M. Vaysman

Larisa M. Vaysman (98944)

Associate General Counsel

Duke Energy Business Services LLC

139 East Fourth Street, 1303-Main

Cincinnati, Ohio 45202

Phone: (513) 287-4010

Fax: (513) 370-5720

E-mail: larisa.vaysman@duke-energy.com

Counsel for Duke Energy Kentucky, Inc.

Enclosures: As stated

cc: Mr. Nicolas Pangallo (via regular mail)

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

NICOLAS PANGALLO	)	
	)	
COMPLAINANT	)	CASE NO.
	)	2026-00130
v.	)	
	)	
DUKE ENERGY KENTUCKY, INC.	)	
	)	
DEFENDANT	)	

**PETITION FOR CONFIDENTIAL TREATMENT OF DUKE ENERGY
KENTUCKY, INC. FOR CERTAIN RESPONSES TO COMMISSION STAFF’S
JULY 2, 2026 FIRST REQUEST FOR INFORMATION**

Duke Energy Kentucky, Inc. (Duke Energy Kentucky or Company), by counsel, pursuant to 807 KAR 5:001, Section 13(2), KRS 61.878(1)(a), and other applicable law, moves the Public Service Commission of Kentucky (Commission) for an Order granting confidential treatment to the following attachments to Commission Staff’s (STAFF) First Request for Information issued on July 2, 2026:

- (1) STAFF-DR-01-003 Confidential Attachments 1 to 19.

Specifically, Duke Energy Kentucky seeks confidential treatment of information referred to herein as the “Confidential Information,” that includes nineteen audio recordings of customer service calls involving the Complainant in this case, which may allow disclosure of, among other things, customer name, account number, portions of the customer’s social security number, telephone number, and address.

I. MOTION FOR CONFIDENTIAL TREATMENT

a. Statutory Standard

Administrative Regulation 807 KAR 5:001 Section 13 sets forth the procedure by which certain information filed with the Commission shall be treated as confidential. Specifically, the party seeking confidential treatment must establish “specific grounds pursuant to KRS 61.878 for classification of that material as confidential,” in accordance with the Kentucky Open Records Act, KRS 61.878. *See* 807 KAR 5:001 Section 13(2)(a)(1).

The Kentucky Open Records Act exempts certain records from the requirement of public inspection. *See* KRS 61.878. In particular, KRS 61.878(1)(a) excludes from the Open Records Act:

Public records containing information of a personal nature where the public disclosure thereof would constitute a clearly unwarranted invasion of personal privacy[.]

The Confidential Information for which Duke Energy Kentucky is seeking confidential treatment, which is described in further detail below, satisfies the statutory criteria to warrant confidential treatment.

b. Information for Which Confidential Treatment is Sought

i. STAFF-DR-01-003 Confidential Attachments 1 to 19

Staff Request No. 01-003 states as follows:

Provide a copy of any recordings of phone calls with Mr. Pangallo in 2026.

In response to Staff Request No. 01-003, Duke Energy Kentucky provides STAFF-DR-01-003 Confidential Attachments 1 to 19, which consist of nineteen total audio recordings. The Company requests that these Confidential Attachments be afforded

confidential treatment pursuant to KRS 61.878(1)(a) and additionally requests that these Confidential Attachments be treated as confidential in their entirety pursuant to 807 KAR 5:001, Section 13(2)(a)(3)(b).

The information in STAFF-DR-01-003 Confidential Attachments 1 to 19 needs to be kept confidential to prevent information of a personal nature being disclosed which “would constitute a clearly unwarranted invasion of personal privacy.”¹ The Commission has previously found that, although 807 KAR 5:001, Section 4(10)(a) technically only refers to paper filings, it does “define[] personal information, providing guidance as to what constitutes information of a personal nature under KRS 61.878(1)(a).”² Such definition includes a customer’s name in combination with other elements, such as birthdate, account number, and digits of a Social Security number. Furthermore, the Commission has previously granted confidential treatment to customer service call recordings in their entirety, without requiring redactions, explaining:

The recordings at issue could be redacted instead of given complete confidential treatment; however, customers have an expectation of privacy in the entirety of the calls as well. When making a customer service call, customers do not likely expect public disclosure.³

As the customer has an expectation of privacy in the entirety of the calls, Duke Energy Kentucky requests confidential treatment of the recordings in their entirety.

¹ *In the Matter of Electronic Application of Atmos Energy Corporation for an Adjustment of Rates*, Case No. 2021-00214, Order, p. 2 (Ky. P.S.C. Dec. 13, 2021).

² *Id.*

³ *Id.*

c. Request for Confidential Treatment

Duke Energy Kentucky respectfully requests that the Confidential Information be withheld from public disclosure indefinitely, as the Commission has previously done with customer service call recordings.⁴

To the extent the Confidential Information becomes available to the public, whether through filings required by other agencies or otherwise, Duke Energy Kentucky will notify the Commission and have its confidential status removed, pursuant to 807 KAR 5:001 Section 13(10)(a).

In accordance with the provisions of 807 KAR 5:001, Section 13(2)(e), the Company is filing one copy of the Confidential Information separately under seal, and noting in the public version of the responses the filing of confidential material.

II. CONCLUSION

WHEREFORE, Duke Energy Kentucky, Inc., respectfully requests that the Commission classify and protect as confidential the specific information described herein.

⁴ *Id.* (“[I]t therefore meets the criteria for confidential treatment and is exempted from public disclosure pursuant to KRS 61.878(1)(a) and 807 KAR 5:001, Section 13 *for an indefinite period.*”) (emphasis added).

Respectfully submitted,

DUKE ENERGY KENTUCKY, INC.

/s/Larisa M. Vaysman

Rocco O. D'Ascenzo (92796)

Deputy General Counsel

Larisa M. Vaysman (98944)

Associate General Counsel

Sheena McGee Leach (100598)

Staff Attorney

Duke Energy Business Services LLC

139 East Fourth Street, 1303-Main

Cincinnati, Ohio 45201-0960

Phone: (513) 287-4010

Fax: (513) 370-5720

rocco.d'ascenzo@duke-energy.com

larisa.vaysman@duke-energy.com

sheena.mcgee@duke-energy.com

Counsel for Duke Energy Kentucky, Inc.

CERTIFICATE OF SERVICE

This is to certify that the foregoing electronic filing is a true and accurate copy of the document in paper medium; that the electronic filing was transmitted to the Commission on July 24, 2026 that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; and that submitting the original filing to the Commission in paper medium is no longer required as it has been granted a permanent deviation.⁵

/s/Larisa M. Vaysman
Counsel for Duke Energy Kentucky, Inc.

⁵ *In the Matter of Electronic Emergency Docket Related to the Novel Coronavirus COVID-19*, Case No. 2020-00085, Order (Ky. P.S.C. July 22, 2021).

KyPSC Case No. 2026-00130
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VERIFICATION

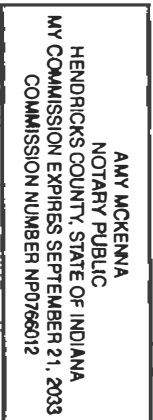
STATE OF INDIANA)
) SS:
COUNTY OF HENDRICKS)

The undersigned, Laura Reynolds, Sr. Consumer Affairs Specialist, being duly sworn, deposes and says that she has personal knowledge of the matters set forth in the foregoing data requests, and that the answers contained therein are true and correct to the best of her knowledge, information, and belief.



Laura Reynolds, Affiant

Subscribed and sworn to before me by Laura Reynolds on this 8th day of
July, 2026.





NOTARY PUBLIC

My Commission Expires: September 21, 2033

VERIFICATION

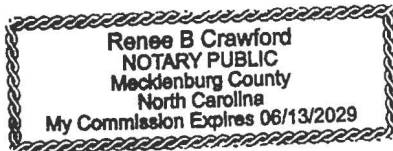
STATE OF NORTH CAROLINA)
)
COUNTY OF Mecklenburg) SS:

The undersigned, Beth White, General Manager Customer Billing, being duly sworn, deposes and says that she has personal knowledge of the matters set forth in the foregoing data requests and that the answers contained therein are true and correct to the best of her knowledge, information, and belief.

Beth White
Beth White, Affiant

Subscribed and sworn to before me by Beth White on this 21 day of July, 2026.

Rebeca
NOTARY PUBLIC



My Commission Expires: 06/13/2029

Duke Energy Kentucky
Case No. 2026-00130
STAFF First Request for Information
Date Received: July 2, 2026

STAFF-DR-01-001

REQUEST:

Provide Mr. Pangallo's monthly usage amounts for the past five years.

RESPONSE:

Mr. Pangallo has only had service at this address in his name since July 3, 2025. Mr. Pangallo's monthly usage amounts since he began service at this location are given in the table below. All of the given usage values are based on actual meter reads.

Date of Bill	Billing From Date	Billing To Date	KWH Usage	Electric Meter Reading	CCF Usage	Gas Meter Reading
06/17/2026	05/16/2026	06/15/2026	1,140	83493	8	6118
05/18/2026	04/17/2026	05/15/2026	508	82353	28	6110
04/20/2026	03/17/2026	04/16/2026	652	81845	47	6082
03/18/2026	02/14/2026	03/16/2026	425	81193	88	6035
02/17/2026	01/17/2026	02/13/2026	497	80768	223	5947
01/20/2026	12/16/2025	01/16/2026	524	80271	138	5724
12/17/2025	11/15/2025	12/15/2025	531	79747	137	5586
11/18/2025	10/17/2025	11/14/2025	424	79216	69	5449
10/20/2025	09/17/2025	10/16/2025	758	78792	15	5380
09/22/2025	8/16/2025	09/16/2025	1,040	78034	10	5365
09/22/2025	07/17/2025	08/15/2025	1,733	229660	7	16059
09/02/2025	07/03/2025	07/16/2025	735	75261	3	5348

PERSON RESPONSIBLE: Laura Reynolds

STAFF-DR-01-002

REQUEST:

Refer to Duke Kentucky's gas tariff, KY. P.S.C. Gas No. 2, Fourth Revised Sheet No. 24, which states "In addition to the monthly monitoring, the Company will immediately investigate the usage deviations brought to its attention as a result of its on-going meter reading or billing processes or customer inquiry."

- a. Describe what an investigation under this tariff provision entails.
- b. Identify how Duke Kentucky determines whether a usage deviation is significant enough to warrant further action by Duke Kentucky and identify what action is taken.

RESPONSE:

a. The Company's billing system looks at the installation and checks the customer's consumption for the same billing period of the previous year and the billing period immediately prior to the current one being evaluated. It then looks at the customer class (e.g., residential) and meter type (e.g., AMI) and compares the deviation threshold to a corresponding table in the billing system. If the validity of the usage is questioned via a customer inquiry, the Call Center specialist will take steps to review the usage with the customer on the phone. If the call center specialist is unable to determine the validity of the usage, a back office billing exception will be generated for further analysis.

b. If the deviation in consumption is identified in our meter reading or billing processes and is outside defined thresholds a billing exception is triggered and further

review is performed. This account review includes comparing the current usage in question to prior usage history at the location to ascertain whether similar usage has occurred in the past. If the accuracy of the reading/usage is still in question, the performer may also review daily readings within the Meter Data Management System (MDM) for an AMI meter, or may also issue an investigation to the field for physical verification of the reading/usage. In the case of a customer inquiry regarding usage, the same process would be followed by the Call Center specialist identified in response to part (a) above.

PERSON RESPONSIBLE: Beth White

**Duke Energy Kentucky
Case No. 2026-00130
STAFF First Request for Information
Date Received: July 2, 2026**

**CONFIDENTIAL STAFF-DR-01-003
(As to Attachments only)**

REQUEST:

Provide a copy of any recordings of phone calls with Mr. Pangallo in 2026.

RESPONSE:

CONFIDENTIAL PROPRIETARY TRADE SECRET (As to Attachments only)

Please see the following attached confidential audio files:

	<u>Call Date & Time</u>
STAFF-DR-01-003 Confidential Attachment 1	February 17, 2026, 4:11pm
STAFF-DR-01-003 Confidential Attachment 2	March 25, 2026, 12:00pm
STAFF-DR-01-003 Confidential Attachment 3	March 25, 2026, 3:17pm
STAFF-DR-01-003 Confidential Attachment 4	March 30, 2026, 10:31am
STAFF-DR-01-003 Confidential Attachment 5	April 1, 2026, 10:37am
STAFF-DR-01-003 Confidential Attachment 6	April 7, 2026, 11:30am
STAFF-DR-01-003 Confidential Attachment 7	April 7, 2026, 11:33am
STAFF-DR-01-003 Confidential Attachment 8	April 7, 2026, 12:55pm
STAFF-DR-01-003 Confidential Attachment 9	April 8, 2026, 10:00am
STAFF-DR-01-003 Confidential Attachment 10	April 20, 2026, 11:12am
STAFF-DR-01-003 Confidential Attachment 11	April 20, 2026, 4:18pm
STAFF-DR-01-003 Confidential Attachment 12	May 6, 2026, 9:00am
STAFF-DR-01-003 Confidential Attachment 13	May 6, 2026, 9:34am

STAFF-DR-01-003 Confidential Attachment 14	May 6, 2026, 10:47am
STAFF-DR-01-003 Confidential Attachment 15	May 18, 2026, 9:38am
STAFF-DR-01-003 Confidential Attachment 16	May 18, 2026, 9:45am
STAFF-DR-01-003 Confidential Attachment 17	May 18, 2026, 10:38am
STAFF-DR-01-003 Confidential Attachment 18	May 18, 2026, 11:23am
STAFF-DR-01-003 Confidential Attachment 19	May 20, 2026, 11:32am

PERSON RESPONSIBLE: Laura Reynolds

CONFIDENTIAL PROPRIETARY TRADE SECRET

**STAFF-DR-01-003 CONFIDENTIAL
ATTACHMENTS 1-19**

FILED UNDER SEAL