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**Public Service Commission**  
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January 19, 2010

Duke Energy Kentucky, Inc.  
Attention: Rocco D' Ascenzo  
139 East Fourth Street, Rm 25 ATII  
P.O. Box 960  
Cincinnati, Ohio 45201-0960

Re: Duke Energy Kentucky - Petition for Confidential Treatment received 8/31/09  
PSC Reference – Case No. 2009-00202

Dear Mr. D' Ascenzo:

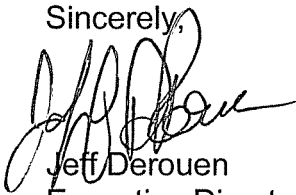
The Public Service Commission has received the Petition for Confidential Treatment you filed on August 31, 2009 on behalf of Duke Energy Kentucky ("Duke") to protect certain information filed with the Commission as confidential pursuant to Section 7 of 807 KAR 5:001 and KRS 61.870. The information you seek to have treated as confidential is identified as information contained in Duke's Responses to Commission's Data Report set out in Order dated August 17, 2009 and the Attorney General's Request for Information. The information is more particularly described as PSC Data Request No. 12 regarding the AGA Comparison Report; PSC D.R. No. 54(c) regarding AGA Report; Attorney General's Request No. 56 regarding studies performed by Duke using outside consultants; Attorney General's Request Nos. 57, 79 and 81 regarding credit reports/ratings and work papers; Attorney General's Request No. 58 regarding information from Investor Services; Attorney General's Request Nos. 76, 77 and 81 regarding copyrighted materials; Attorney General's No. 91 regarding audit reports, management letters and consultants reports; Attorney General's Request No. 97 regarding current and prior capitalization policies; and Attorney Generals' Request Nos. 161 and 162 which contains attorney/client privileged information.

Your justification for having the Commission handle this material as confidential is that the public disclosure of the information would compromise Duke's competitive position in the industry and result in an unfair commercial advantage to its competitors.

Based on a review of the information and pursuant to KRS 61.878 and 807 KAR 5:001, Section 7, the Commission has determined that the information you seek to keep confidential is of a proprietary nature, which if publicly disclosed would permit an unfair commercial advantage to Duke's competitors. Therefore, the information requested to be treated as confidential **meets the criteria for confidential protection** and will be maintained as a nonpublic part of the Commission's file in this case. The procedure for usage of confidential materials during formal proceedings may be found at Section 7(8) of 807 KAR 5:001.

If the information becomes publicly available or no longer warrants confidential treatment, Duke Energy Kentucky is required by Section 8(9)(a) of 807 KAR 5:001 to inform the Commission so that the information may be placed in the public record.

Sincerely,



Jeff Derouen  
Executive Director

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cc: Parties of Record