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June 21, 2010

Duke Energy Kentucky  
Attention: Amy B. Spiller  
139 E. Fourth Street, 25 ATII  
P.O. Box 960  
Cincinnati, Ohio 45201

Re: Duke Energy Kentucky  
Petition for Confidential Treatment received 7/16/09  
PSC Reference – Case No. 2009-00202

Dear Ms. Spiller:

The Public Service Commission has received the Petition for Confidential Treatment you filed on July 16, 2009 on behalf of Duke Energy Kentucky 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 Staff's First Data Requests Nos. 26, 34, 36, 47 and 49. The information is more particularly described as follows: Response No. 26 containing cash balances in bank accounts including account numbers; Response No. 34 containing employee studies, analyses or surveys; Response No. 36 containing executive compensation; Response No. 47 containing federal income tax information and franchise fees paid; and Response No. 49 containing written policies for professional services.

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

Based on a review of the information and pursuant to KRS 61.878 and 807 KAR 5:001, Section 7, the Commission has determined as follows:

- (1) **Response No. 26** regarding cash balances in bank accounts and account numbers, does meet the criteria for confidential protection and is hereby **GRANTED**.
- (2) **Response No. 34** pertaining to employee studies, analyses or surveys does meet the criteria for confidential protection and is hereby **GRANTED**.
- (3) **Response No. 47** regarding federal tax return information does meet the criteria for confidential protection and is hereby **GRANTED**.
- (4) **Response No. 47** pertaining to franchise payments does not meet the criteria for confidential protection and is hereby **DENIED**.
- (5) **Response No. 36** regarding executive compensation does not meet the criteria for confidential protection and is hereby **DENIED**.
- (6) **Response No. 49** regarding written policies for professional services does not meet the criteria for confidential protection and is hereby **DENIED**.

The information listed above that has been granted confidential protection 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.

The information denied confidentiality will be withheld from public inspection for 20 days from the date of this letter. If you disagree with the Commission's decision, you may seek rehearing with the Commission within 20 days of the date of this letter under the provisions of KRS 278.400

Sincerely,



Jeff Derouen  
Executive Director

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cc: Parties of Record