

FAX

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DATE: May 10, 2011

TO: Docketing

COMPANY: KYPSC

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FROM:

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NO. OF PAGES: 1

COMMENTS: Case No. 2010-523 Originals will be overnighted

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VIA FACSIMILE (502) 564-3460

May 10, 2011

Jeff R. Derouen
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, KY 40602-0615

Re: Case No. 2010-00523; Application of Duke Energy Kentucky, Inc., for an Order
Approving the Establishment of a Regulatory Asset Related to Voluntary Opportunity
and Other Post-Retirement Expenses

Dear Mr. Derouen:

Please accept this letter in response to the Commission's May 3, 2011, Order in the above-referenced case, wherein the Commission directed Duke Energy Kentucky to file a written request for a hearing or, in the alternative, to submit the case for a decision on the existing evidence of record.

Duke Energy Kentucky hereby notifies the Commission that the Company wishes to submit the case for a decision on the existing evidence of record without a hearing.

Respectfully submitted

Duke Energy Kentucky, Inc.

Amy B. Spiller