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**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of April 11, 2026***2010-00203**

RECEIVED: 05/20/10

FILED: 05/20/10

FINAL: 12/22/10

REOPENED:

SUSPENSION DATE:

CASE NATURE: Transfer from MISO to PJM

**CASE CODE**

Transfer of Control; KRS 278.218

**UTILITIES:**

Duke Energy Kentucky, Inc.

INTERVENORS: Beall - MISO/Yunker -

**HEARINGS:**

11/03/10 Formal Hearing

10/21/10 Informal Conference

**INDEX OF EVENTS:**

03/30/11 POST CASE: Duke Energy's Compliance Filing per 012511 Commission Staff's Order

01/25/11 Order Entered: 1. The conditional approval granted in our December 22, 2010 Order for Duke Kentucky to transfer its transmission assets to PJM is now unconditional. 2. Within 90 days of the date of this Order, Duke Kentucky shall file its internal procedures for the receipt and tracking of notices from PJM regarding customer requests to participate in PJM demand-response programs. Those procedures shall be reviewed by the Commission on an informal basis, unless a determination is made that a formal investigation is needed 3. Any document filed in the future pursuant to Ordering paragraph 2 herein, shall reference this case number and shall be retained in the utility's general correspondence file.

01/13/11 POST CASE: PJM Interconnection LLC Clarification of Written Acknowledgement with Signatures

01/11/11 POST CASE: PJM Interconnection LLC Clarification of Written Acknowledgement of Condition

01/06/11 Order Entered:  
IT IS THEREFORE ORDERED that the conditional approval granted in our December 22, 2010 Order has not become unconditional and will not become unconditional until either: (a) PJM clarifies its December 29, 2010 letter to acknowledge the requirement that no customer participate in a PJM demand-response program absent prior Commission approval; or (b) the December 22, 2010 Order is modified in response to a timely application for rehearing filed pursuant to KRS 278.400.

12/29/10 POST CASE: PJM's Response to Commission's 122210 Order

12/29/10 POST CASE: Duke Energy's Response to Commission's 122210 Order

12/22/10 Final Order Entered:  
(1) Duke Kentucky's request to transfer functional control of its transmission system from the Midwest ISO to PJM is approved subject to filing, within seven days of the date of this Order, of the written acknowledgements described in finding paragraphs 8 and 9 above.  
(2) Any customer seeking to participate directly or through a third party in any PJM demand-response program shall do so only in accordance with the procedures set forth in finding paragraph 6 above.  
(3) Within 20 days of the date of this Order, Duke Kentucky shall file its revised tariff Rider PSM as approved herein with an effective date of January 1, 2012.

12/14/10 Order Entered:  
(1) The Midwest ISO's motion for an extension of time to file its post-hearing brief is granted.  
(2) Duke Kentucky's motion to strike the Midwest ISO's brief in its entirety or to strike three arguments in that brief, is denied.

12/14/10 Letter to Rocco O. D'Ascenzo granting Duke's petition for confidentiality filed 10/28/10 for protection of certain information

12/14/10 Letter to Rocco O. D'Ascenzo granting Duke's petition for confidentiality filed 11/19/10 for protection of certain information

12/14/10 Letter to Keith L. Beall and Rocco O. D'Ascenzo granting Duke's petition for confidentiality filed 11/22/10 for protection of certain information

12/01/10 MISO's Response to Duke's Memorandum Contra and Motion to Strike

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| 11/24/10 | Duke Energy's Memorandum Contra of MISO's Motion for Extension of Time (fax)  |
| 11/24/10 | Duke Energy's Memorandum Contra of MISO's Motion for Extension of Time  |
| 11/22/10 | MISO's Post-Hearing Brief   |
| 11/22/10 | MISO's Petition for Confidential Treatment for Supplement to Post-Hearing Brief   |
| 11/22/10 | MISO's Motion for Extension of Time to File Post-Hearing Brief  |
| 11/19/10 | Duke Energy's Public Post Hearing Brief with Confidential Petition  |
| 11/19/10 | PJM Interconnection, LLC's Post Hearing Brief   |
| 11/10/10 | Letter to Rocco D'Ascenzo granting Duke Energy Kentucky, Inc.'s petition for confidentiality filed 9/28/10 for protection of certain information  |
| 11/10/10 | Duke Energy's Responses to MISO's Post-Hearing Data Requests  |
| 11/08/10 | Notice of Filing  |
| 11/03/10 | Order Entered:<br>(1) MISO's motion to take administrative notice of filings made by the parties and the Commission in FERC Docket No. ER10-1562-000 is denied without prejudice.<br>(2) MISO's motion to compel Duke Kentucky to more fully respond to MISO's second set of data requests is denied as moot.   |
| 10/28/10 | Duke Energy's Response to MISO's 2nd Set of Clarifying Data Requests and Confidential Petition  |
| 10/27/10 | Duke Energy's Letter in Response to MISO's Second Set of Data Requests with Confidential CD   |
| 10/26/10 | Duke Energy's Notice and Affidavit of Publication of Hearing  |
| 10/21/10 | Duke Energy's Response to MISO's Motion to Compel   |
| 10/18/10 | Duke Energy's Revised Response to MISO-DR-02-005 and MISO-DR-02-012   |
| 10/18/10 | Duke Energy's Revised Response to MISO-DR-02-005 and 012  |
| 10/14/10 | Commission Staff's Notice of Informal Conference  |
| 10/13/10 | MISO's Motion to Compel Responsive Information from Duke Energy   |
| 10/11/10 | MISO Notice of Filing Certification   |
| 10/05/10 | MISO's Response to Duke Energy's 092210 Data Requests   |
| 10/04/10 | MISO's Motion for PSC to Take Official Notice of Filings in FERC Proceeding   |
| 09/28/10 | Duke Energy's Supplemental Response to MISO-DR-02-007 and Petition for Confidentiality  |
| 09/23/10 | Order Entered: Jacquelynn Huges and Denise Foster are admitted pro hac vice for the purpose of representing PJM Interconnection, LLC provided that Jason Bentley or another member of the Kentucky Bar Association acts as co-counsel and is present at any and all proceedings before the Commission.  |
| 09/22/10 | Duke Energy's Requests for Information to MISO  |
| 09/15/10 | Duke Energy's Revised Response to MISO's Data Request Number 02-005   |
| 09/13/10 | Revised Update to Motion filed 091010 with corrected contact information  |
| 09/10/10 | Letter to Rocco O. D'Ascenzo granting Duke Energy's petition for confidentiality filed 8/25/10 for protection of certain information  |
| 09/08/10 | PJM Interconnection, LLC's Motion for Admission Pro Hac Vice to Admit Hon. Jacquelynn Huges and Hon. Denise Foster  |
| 09/07/10 | Order Entered:<br>(1) A hearing in this matter shall be held on November 3, 2010 at 10:00 a.m., EDT, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, KY.<br>(2) The official record of these proceedings shall be by video only.<br>(3) Any request to cancel or postpone this hearing shall be made by motion filed with the Commission at least one week before the hearing is scheduled to commence.                      |
| 08/25/10 | Duke Energy's Responses to MISO and Staff's 2nd Data Requests   |
| 08/23/10 | McGuire Woods' Filing of Duke FPA filing  |
| 08/13/10 | Commission Staff's Second Request for Information to Duke Energy Kentucky, Inc.   |
| 08/13/10 | MISO's Supplemental Data Requests to Duke Energy  |
| 08/12/10 | Order Entered:<br>(1) The motion of PJM to intervene is granted, and PJM shall accept the existing procedural schedule.<br>(2) PJM shall be entitled to the full rights of a party and shall be served with the Commission's Order and all other documents submitted by parties after the date of this Order.<br>(3) Should PJM file documents of any kind with the Commission, PJM shall also serve a copy of said documents on all other parties of record. |
| 08/12/10 | Order Entered: Keith L. Beall and Gregory A. Troxell are admitted pro hac vice for the purpose of representing Midwest ISO in the above-styled proceeding, provided that Katherine K. Yunker or another member of the Kentucky Bar Association acts as co-counsel and is present at any and all proceedings before this Commission.   |

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08/09/10 Duke Energy's Additional Attachments to Information Response Filed on 080210 to MISO Data Requests

08/03/10 Order Entered:  
Jeanne W. Kingery is admitted pro hac vice.

08/03/10 PJM Interconnection, LLC Motion to Intervene

08/02/10 MISO's Motion for KY Bar Association's Out-of-State Certification for Keith L. Beall and Gregory A. Troxell

08/02/10 Duke's Responses to Staff and MISO's First Set of Data Requests

07/27/10 MISO's Motion for Admission Pro Hac Vice of Keith L. Beall and Gregory A Troxell

07/20/10 Commission Staff's Initial Request for Information to Duke Energy Kentucky, Inc.

07/20/10 MISO's Initial Data Requests to Duke Energy

07/20/10 Duke Energy's Motion to Admit Jeanne W. Kingery Pro Hac Vice

07/19/10 Order Entered:  
(1) The motion of MISO to intervene is granted and MISO shall accept the existing procedural schedule.  
(2) MISO shall be entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order.  
(3) Should MISO file documents of any kind with the Commission in the course of these proceedings, MISO shall also serve a copy of said documents on all other parties of record.

07/06/10 Duke Energy's Direct Testimony of Gainer, Wathen, Jennings and Swez

06/28/10 MISO's Motion for Full Intervention

06/28/10 Duke Energy's RTO Realignment Filing

06/24/10 Order Entered:  
(1) The procedural schedule for processing the review of the proposed transfer of control of transmission assets is attached hereto as an Appendix and shall be followed in this case. (2) Any document filed with the Commission shall be served on all parties of record, with 10 copies to the Commission. (3) All parties shall respond to any interrogatories or requests for production of documents that Commission Staff submits in accordance with the procedural set forth in the Appendix. (4) a. Responses shall be appropriately bound, tabbed and indexed and include the name of the witness responding. b. Each response shall be answered under oath, or be accompanied by signed certification of the preparer. c. Any party shall make timely amendment to any prior response if it obtains info which indicates response was incorrect when made or though correct when made, is not incorrect in any material respect. d. For any request which a party fails or refuses to furnish all or part of the requested information, that party shall provide written explanation of specific grounds for its failure to completely and precisely respond. (5) Duke Kentucky shall publish notice of hearing. (6) At any public hearing in this matter, neither opening statements nor summarization of direct testimony shall be permitted. (7) Motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause.

06/01/10 No Deficiency Letter

05/20/10 Acknowledge Receipt of Filing

05/20/10 Duke Energy Kentucky, Inc.'s Application for Approval to Transfer Functional Control of Certain Transmission Assets from the Midwest Independent Transmission System Operator to the PJM Interconnection Regional Transmission Organization and Request for Expedited Treatment

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Total Number of Cases: 1