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**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of May 25, 2026***2016-00398**

RECEIVED: 12/02/16

FILED: 12/02/16

FINAL: 06/06/17

REOPENED:

SUSPENSION DATE:

CASE NATURE: Authorization to Close East Bend Generating Station Coal Ash Impoundment

**CASE CODE**

Construct

**UTILITIES:**

Duke Energy Kentucky, Inc.

Duke Energy Kentucky, Inc.

**HEARINGS:**

05/18/17

Informal Conference

**INDEX OF EVENTS:**

- 01/24/19 Order Entered: 1. Duke Kentucky's January 31, 2017 petition for confidential protection is granted. 2. The designated materials shall not be placed in the public record or made available for public inspection for ten years, or until further Orders of this Commission. 3. Use of the designated materials in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9). 4. Duke Kentucky shall inform the Commission if the designated materials become publicly available or no longer qualify for confidential treatment. 5. If a non-party to this proceeding requests to inspect the designated materials granted confidential treatment by this Order and the period during which the materials have been granted confidential treatment has not expired, Duke Kentucky shall have 30 days from receipt of written notice of the request to demonstrate that the materials still fall within the exclusions from disclosure requirements established in KRS 61.878. If Duke Kentucky is unable to make such demonstration, the requested materials shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection. 6. The Commission shall not make the designated materials available for inspection for 30 days following an Order finding that the materials no longer qualify for confidential treatment in order to allow Duke Kentucky to seek a remedy afforded by law.
- 06/06/17 Final Order Entered: Duke Kentucky's request for a CPCN to construct new water redirection and wastewater treatment processes and to close and repurpose its existing coal ash impoundment at its East Bend Generating Station is granted.
- 05/26/17 Duke Energy Kentucky Inc. Copy of STAFF-DR-01-003 SUPP on CD in Excel Format
- 05/25/17 Memorandum dated 5/25/2017 for Informal Conference of 5/18/2017; Comments, if any, due within five days of receipt
- 05/25/17 Adele M. Frisch Rocco DAscenzo Duke Energy Kentuckys Stream Construction permit approval
- 05/23/17 Deborah Gates Rocco DAscenzo Commission Staffs First Set of Data Request Number 3 Supplemental Response
- 05/09/17 Order Entered: 1. Duke Kentucky's motion for an informal conference is granted. 2. An informal conference shall be held on May 18, 2017, at 10:00 a.m., Eastern Daylight Time, at the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky, for the purpose of discussing any potential impact of the EPA's stay of the ELG rule on the instant application.
- 05/04/17 Adele M. Frisch Rocco DAscenzo Duke Energy Kentucky, Inc.s Motion for Technical Conference
- 03/02/17 Adele M. Frisch Rocco O. DAscenzo Duke Energy Kentucky, Inc.s request for matter to be submitted for decision.
- 01/31/17 Deborah Gates Rocco DAscenzo Case No. 2016-00398 Duke Energy Kentucky, Inc. submits its responses to Commission Staffs First Set of Data Requests
- 01/17/17 Commission Staff's First Request for Information to Duke Energy Kentucky, Inc.
- 12/22/16 Order Entered: 1. The procedural schedule set forth in the Appendix, which is attached hereto and incorporated herein, shall be followed.
2. a. Responses to requests for information in paper medium shall be appropriately bound, tabbed and indexed and shall include the name of the witness responsible for responding to the questions related to the information provided, with an original and six copies in paper medium and an electronic version to the Commission. b. Each response shall be under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of

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that person's knowledge, information, and belief formed after a reasonable inquiry. c. Any party shall make timely amendment to any prior response if it obtains information which indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect. d. For any request to which a party fails or refuses to furnish all or part of the requested information, that party shall provide a written explanation of the specific grounds for its failure to completely and precisely respond. e. Careful attention should be given to copied material to ensure that it is legible.

12/09/16	Adele M. Frisch Rocco DAscenzo Duke Energy Kentucky, Inc.s concurrence letter from US Fish and Wildlife Service
12/09/16	Adele M. Frisch Rocco DAscenzo Duke Energy Kentucky, Inc. submits affidavits to Exhibit 2 of DEKs Application
12/06/16	No Deficiency Letter
12/02/16	Deborah Gates Rocco DAscenzo Case No. 2016-00398 In the Matter of The Application of Duke Energy Kentucky, Inc., for a Certificate of Public Convenience and Necessity for Water Re-directs and Basin Closure for East Bend Generating Station
11/17/16	Order Entered: 1. All future correspondence or filings in connection with this case shall reference the above case number. 2. All documents submitted in this proceeding shall comply with the Commission's rules of procedure as set forth in 807 KAR 5:001 and any deviation from these rules shall be submitted in writing to the Commission for consideration. 3. Any party filing a paper shall upload an electronic version using the Commission's E-Filing System and shall file an original and six copies in paper medium, except that only two copies in paper medium shall be filed of maps, plans, specifications, and drawings pursuant to 807 KAR 5:001, Section 15(2)(d). 4. Any request for confidential treatment of material submitted shall conform to the requirements in 807 KAR 5:001(13). 5. Materials submitted to the Commission which do not comply with the rules of procedure or that do not have an approved deviation are subject to rejection pursuant to 807 KAR 5:001, Section 3.
11/17/16	Duke Energy Kentucky, Inc. Notice of Intent to File Application for a CPC&N Authorizing the Company to Close the East Bend Generating Station Coal Ash Impoundment and for All Other Required Approvals and Relief Using Electronic Filing Procedures

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Total Number of Cases: 1