

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

TERESA LYN CUNNINGHAM)	
)	
COMPLAINANT)	
)	
V.)	CASE NO. 2009-00333
)	
DUKE ENERGY KENTUCKY, INC.)	
)	
DEFENDANT)	

COMMISSION STAFF'S FIRST DATA REQUEST
TO DUKE ENERGY KENTUCKY, INC.

Duke Energy Kentucky, Inc. ("Duke Kentucky"), pursuant to 807 KAR 5:001, is to file with the Commission the original and five copies of the following information, with a copy to all parties of record. The information requested herein is due on or before November 20, 2009. Responses to requests for information shall be appropriately bound, tabbed and indexed. Each response shall include the name of the witness responsible for responding to the questions related to the information provided.

Each response shall be answered 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 that person's knowledge, information, and belief formed after a reasonable inquiry.

Duke Kentucky 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. For any request to which Duke Kentucky fails or refuses to furnish all or part of the requested information, Duke Kentucky shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

Careful attention should be given to copied material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request. When applicable, the requested information shall be separately provided for total company operations and jurisdictional operations.

1. Refer to page 3 of Duke Kentucky's Reply to Complainant's Response to Duke Kentucky's motion to dismiss ("Reply") filed September 24, 2009, in which Duke Kentucky states that "[t]he inability to receive data electronically [from Complainant's meter] was due to switched leads, causing the electronic AMI [Advanced Metering Infrastructure] device not to function properly."

a. Explain in detail how the switched leads affected the function of the AMI device.

b. Are the leads for Duke Kentucky's residential AMI devices installed during the manufacturing process or by the company?

c. Describe whether the meters that were installed at Complainant's residence are mechanical or solid-state.

d. Is Duke Kentucky aware of any other customers who experienced the same or similar problems with AMI devices installed at their residences? If yes, describe in detail the types of problems experienced, the types and manufacturers of the AMI equipment involved, and the number of AMI devices that have experienced such problems during the period from January 1, 2006 to the present.

2. Refer to page 3 of Duke Kentucky's Reply, in which Duke Kentucky states that "[a]fter Complainant's October 6, 2008 billing period, the AMI device stopped functioning and the Company was not able to receive an electronic reading."

a. Explain in detail why the AMI device stopped functioning after October 6, 2008.

b. Did the AMI device experience the same problem as the previous AMI device installed at Complainant's residence, as described in Item 1 of Commission Staff's First Data Request, above?

3. The AMI meter originally installed at the Complainant's residence in September 2007 was replaced in June 2008 and again in February 2009.

a. Please provide the type and manufacturer of each meter and AMI device installed at Complainant's residence, and describe in detail how the problems experienced with each of these devices were similar or different.

b. If the meters were of the same type, how many meters in total have been installed? If not the same type, how many of each type have been installed?

c. Explain whether the necessity for AMI meter replacement is a common occurrence or if this is an isolated incident.

d. What steps does Duke Kentucky plan to take in order to determine if the same or similar problems experienced with the AMI devices installed at Complainant's residence are likely to occur with other customers' AMI equipment installed throughout its system?

4. Refer to page 4 of Duke Kentucky's Reply, wherein Duke Kentucky states:

For three months following the February 11, 2009 installation, Complainant continued to receive estimated bills for consumption until Duke Energy Kentucky's system programming caught up and began receiving the new electronic signal. The estimated periods included billing periods ending March 10, 2009, April 8, 2009, and May 8, 2009. Once the AMI system was reprogrammed to pick up Complainant's new AMI signal, actual readings were used to determine monthly bills. This occurred in time for the June 9, 2009 meter reading.

Explain in detail the reason or reasons why Duke Kentucky was unable to reprogram its AMI system in order to start receiving the AMI signal from Complainant's meter sooner than June 9, 2009.

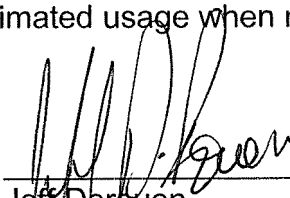
5. Refer to Original Sheet No. 25, Section VI – Billing and Payment of Duke Kentucky's tariff. Duke Kentucky's tariff states that meters are ordinarily read at monthly intervals but may be read more or less frequently at the company's option, but no less than quarterly. Refer also to page 1 of Duke Kentucky's August 25, 2009 Answer, wherein Duke Kentucky admits that the Complainant received estimated bills between November 2008 and May 2009—a period of six months or two quarterly periods. Explain in detail whether Duke Kentucky was in violation of its tariff during this time period.

6. Refer to Attachment 6 to Duke Kentucky's Reply, which consists of copies of Complainant's electric bills from February 2, 2006 to October 1, 2009. There are

several instances in which the Complainant's usage is identical during the 45 months' billing history. For example, 720 kWh usage is repeated six times,¹ 840 kWh is repeated four times,² and 660 kWh is repeated seven times.³

a. Explain in detail whether these occurrences of identical kWh usage are due to Duke Kentucky's method of estimating Complainant's electric bills or some other reason.

b. In the explanation, include a narrative discussion of the process Duke Kentucky used in calculating Complainant's estimated usage when required to do so.



Jeff Derouen
Executive Director
Public Service Commission
P. O. Box 615
Frankfort, KY 40602

DATED: NOV - 5 2009

cc: Parties of Record

¹ February 2, 2006; October 30, 2006; July 5, 2007; November 1, 2007; March 3, 2008; and April 3, 2008.

² May 31, 2006; August 30, 2007; August 29, 2008; and September 3, 2009.

³ March 3, 2006; May 31, 2007; June 3, 2008; July 3, 2008; September 30, 2008; October 29, 2008; and December 1, 2008.

Teresa L Cunningham
4590 Burlington Pike
Burlington, KY 41005

Teresa Cunningham
Esq
Attorney & Counselor at Law
71 Cavalier Blvd., Suite 125
Florence, KY 41042

Rocco D'Ascenzo
Senior Counsel
Duke Energy Kentucky, Inc.
139 East 4th Street, R. 25 At II
P. O. Box 960
Cincinnati, OH 45201