

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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

ORDER

In Duke Energy Kentucky, Inc.'s ("Duke Energy") reply to Complainant, Teresa Lyn Cunningham's, response to its Motion to Dismiss, Duke Energy states that, beginning on September 20, 2007, it has installed a total of three electric meters and accompanying advanced metering infrastructure ("AMI") devices at Complainant's residence. The electric meter installed at Complainant's residence by Duke Energy on September 20, 2007 (Meter No. 97081770), was replaced on or about June 12, 2008, with another new meter (Meter No. 97081813), which was subsequently replaced by a third new meter (Meter No. 97081778) on February 11, 2009. According to Duke Energy's reply, it examined Meter No. 97081770 and Meter No. 97081813 when they were replaced and, in each instance, it found that the meters were functioning properly.

KRS 278.210(1) provides that, "[t]he commission may provide instruments for, and carry on, the examination and testing of any meter or appliance used to measure the product or service of any utility, and the examination and testing of any instrument used by a utility to test the accuracy of any meter or appliance used to measure its

products or services.” Complainant has not requested the Commission to independently test the meters installed at her residence. However, as the issues in her Complaint involve the accuracy of those electric meters, the Commission, on its own motion, finds good cause to require Duke Energy to make available to the Commission all electric meters installed at Complainant’s residence since September 20, 2007, for the purpose of testing their accuracy.

Commission Staff has arranged for the Duke Energy meters to be tested by a third-party meter servicing laboratory, Specialized Technical Services, Inc. (a/k/a TEAMsTs), located at 500 Recycle Drive, Richmond, Kentucky at 9:30 a.m. on December 1, 2009. Therefore, the Commission finds that Duke Energy should provide the electric meters to Commission Staff no later than 10:00 a.m. EST on November 30, 2009, in order for Commission Staff to transport the meters to Richmond, Kentucky for testing the following day. By this Order, the Commission also notifies Duke Energy and Complainant that they may be present at the Specialized Technical Services, Inc. facility on December 1, 2009, at 9:30 a.m. in order to observe the testing of the electric meters.

IT IS THEREFORE ORDERED that:

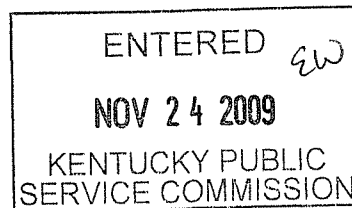
1. On or before 10:00 a.m. EST on November 30, 2009, Duke Energy shall give Commission Staff custody of all electric meters installed at Complainant’s residence between September 20, 2007 and the present date, including, but not limited to: Meter No. 97081770, Meter No. 97081813, and Meter No. 97081778, for the limited purpose of testing the electric meters for accuracy.

2. Duke Energy and Complainant may be present at the Specialized Technical Services, Inc. (a/k/a TEAMsTs) facility located at 500 Recycle Drive,

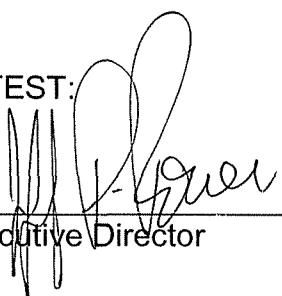
Richmond, Kentucky on December 1, 2009, at 9:30 a.m. EST for the purpose of observing the testing of the electric meters.

3. All costs for the electric meter testing, if any, shall be borne by the Commission.

By the Commission



ATTEST:



Executive Director

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