

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF DUKE ENERGY KENTUCKY, )	
INC. FOR APPROVAL OF AN ENERGY )	CASE NO.
EFFICIENCY PLAN, INCLUDING AN ENERGY )	2008-00495
EFFICIENCY RIDER AND PORTFOLIO OF )	
ENERGY EFFICIENCY PROGRAMS )	

ORDER

On January 27, 2010, Duke Energy Kentucky, Inc. ("Duke Kentucky") filed a motion requesting that the Commission dismiss this case from its docket without prejudice. In support of its motion, Duke Kentucky states that, since the filing of its application herein in 2008, its affiliates operating in other states have received regulatory approval to implement new pilot energy efficiency programs through approved save-a-watt models. It requests that it be allowed to withdraw its application, which includes a save-a-watt model based on 2008 data, so that it may consider new energy efficiency programs based on its affiliates' experiences with their new programs in other states.

Having reviewed the motion and being otherwise sufficiently advised, the Commission finds that Duke Kentucky's motion is reasonable and should be granted.

IT IS THEREFORE ORDERED that:

1. Duke Kentucky's motion to dismiss is granted.
2. This case is dismissed without prejudice and removed from the Commission's docket.

By the Commission

ENTERED *zw*  
JAN 29 2010  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:

*Jeff Derouen by [Signature]*  
Executive Director

Paul D Adams  
Office of the Attorney General Utility & Rate  
1024 Capital Center Drive  
Suite 200  
Frankfort, KY 40601-8204

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

Mark David Goss  
Frost, Brown, Todd, LLC  
250 West Main Street  
Suite 2700  
Lexington, KY 40507

Catherine E Heigel  
Regulatory Counsel  
Duke Energy Business Shared Services  
526 South Church Street  
Charlotte, NC 28203

Honorable Michael L Kurtz  
Attorney at Law  
Boehm, Kurtz & Lowry  
36 East Seventh Street  
Suite 1510  
Cincinnati, OH 45202

Amy B Spiller  
Associate General Counsel  
Duke Energy Kentucky, Inc.  
139 East 4th Street, R. 25 At II  
P. O. Box 960  
Cincinnati, OH 45201