

COMMONWEALTH OF KENTUCKY  
BEFORE THE KENTUCKY STATE BOARD ON ELECTRIC GENERATION  
AND TRANSMISSION SITING

In the Matter of:

ELECTRONIC APPLICATION OF DUKE ENERGY )	
OHIO, INC. FOR A CERTIFICATE OF )	
CONSTRUCTION FOR TWO NEW 138 KILOVOLT )	CASE NO.
NONREGULATED ELECTRIC TRANSMISSION )	2025-00228
LINES APPROXIMATELY 1.2 AND 1.3 MILES IN	
LENGTH IN BOONE COUNTY, KENTUCKY	

ORDER

This matter is before the Siting Board upon a motion for rehearing and or clarification filed on January 29, 2026, by Duke Energy Ohio, Inc (Duke Energy Ohio) for reconsideration and clarification of a mitigation requirement imposed by the Siting Board's January 14, 2026 Order (final Order) that conditionally approved a certificate to construct two new 138 kV nonregulated transmission lines approximately 1.24 and 1.34 miles in Boone County, Kentucky. Duke Energy Ohio indicated that certain construction activities, such as the interstate crossings with a state issued permit, must occur overnight in order to avoid significant inconvenience to the public, additional costs, and risk for the safety of the public and company employees.<sup>1</sup>

DISCUSSION AND FINDINGS

On January 29, 2026, Duke Energy Ohio filed a motion for rehearing and clarification with respect to a Mitigation Measure 6 in the final Order. Mitigation Measure 6 states:

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<sup>1</sup> Duke Energy Ohio's Application for Rehearing (filed Jan. 29, 2026).

Duke Energy Ohio is required to limit construction activity, process, and deliveries to the hours between 8 a.m. and 6 p.m. local time, Monday through Saturday. The Siting Board directs that construction activities that create a higher level of noise will be limited to 9 a.m. to 5 p.m. local time, Monday through Friday. Non-noise causing and non-construction activities can take place on the site between 7 a.m. and 10 p.m. local time, Monday through Sunday, including field visits, arrival, departure, planning, meetings, mowing, surveying, etc.

Duke Energy Ohio stated that a portion of the new construction line will require an interstate crossing of I-71 and I-75.<sup>2</sup> Duke Energy Ohio stated that, in order to pull the conductor across the interstate, local law enforcement officers will have to gradually slow and temporarily stop traffic in all lanes for 15-minute durations to create a safe zone for the public as well as a safe workspace for the overhead line crews.<sup>3</sup> In order to minimize impacts to traffic, per permitting requirements, this work is generally performed overnight, specifically between 11:00 p.m. and 5:00 a.m.<sup>4</sup>

Based upon the motion and the final Order, and being otherwise sufficiently advised, the Siting Board in reviewing this mitigation measure, Duke Energy Ohio's application for rehearing is granted. The daytime construction hours do not apply to any necessary construction where permitting requires hours outside of those hours set forth in the mitigation measure. Mitigation Measure 6 in Appendix A to the final Order should be stricken and should be replaced with the following:

Duke Energy Ohio is required to limit construction activity, process, and deliveries to the hours between 8 a.m. and 6 p.m. local time, Monday through Saturday. The Siting Board directs that construction activities that create a higher level of

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<sup>2</sup> Duke Energy Ohio's Application for Rehearing at 3.

<sup>3</sup> Duke Energy Ohio's Application for Rehearing at 3.

<sup>4</sup> Duke Energy Ohio's Application for Rehearing at 3.

noise will be limited to 9 a.m. to 5 p.m. local time, Monday through Friday. Non-noise causing and non-construction activities can take place on the site between 7 a.m. and 10 p.m. local time, Monday through Sunday, including field visits, arrival, departure, planning, meetings, mowing, surveying, etc. Should a permit require a variance from these requirements, Duke Energy Ohio may proceed in accordance with any permit related to the construction of this project.

IT IS THEREFORE ORDERED that:

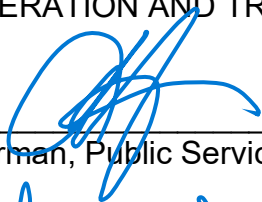
1. Duke Energy Ohio's motion for rehearing and or reconsideration clarification on Mitigation Measure 6 is granted.

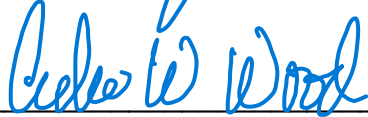
2. Mitigation Measure 6 set forth in Appendix A to the January 14, 2026 final Order shall be stricken, amended and replaced with the following:

Duke Energy Ohio is required to limit construction activity, process, and deliveries to the hours between 8 a.m. and 6 p.m. local time, Monday through Saturday. The Siting Board directs that construction activities that create a higher level of noise will be limited to 9 a.m. to 5 p.m. local time, Monday through Friday. Non-noise causing and non-construction activities can take place on the site between 7 a.m. and 10 p.m. local time, Monday through Sunday, including field visits, arrival, departure, planning, meetings, mowing, surveying, etc. Should a permit require a variance from these requirements, Duke Energy Ohio may proceed in accordance with any permit related to the construction of this project.

3. All other provisions of the Siting Board's January 14, 2026, final Order that are not in conflict with the terms of this Order shall remain in effect.

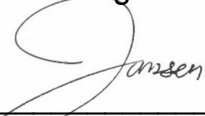
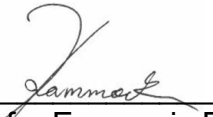
KENTUCKY STATE BOARD ON ELECTRIC  
GENERATION AND TRANSMISSION SITING

  
Chairman, Public Service Commission


  
Commissioner, Public Service Commission

  
Commissioner, Public Service Commission

  
Secretary, Energy and Environment Cabinet,  
or her designee

  
  
Secretary, Cabinet for Economic Development,  
or his designee

ATTEST:

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Executive Director  
Public Service Commission  
*on behalf of* the Kentucky State  
Board on Electric Generation  
and Transmission Siting



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