

Commonwealth of Kentucky  
Before the Public Service Commission

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PUBLIC SERVICE  
COMMISSION

In the Matter of: )  
THE JOINT APPLICATION OF DUKE ENERGY ) Case No. 2005-00228  
CORPORATION, DUKE ENERGY HOLDING )  
CORP., DEER ACQUISITION CORP., COUGAR )  
ACQUISITION CORP., CINERGY CORP., THE )  
CINCINNATI GAS AND ELECTRIC COMPANY, )  
AND THE UNION LIGHT, HEAT AND POWER )  
COMPANY FOR APPROVAL OF A TRANSFER )  
AND ACQUISITION OF CONTROL )

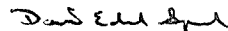
ATTORNEY GENERAL'S  
NOTICE REGARDING CONFIDENTIALITY AGREEMENT

The Attorney General provides notice that he has retained Scott J. Rubin as an expert witness for this proceeding. Further, Mr. Rubin agrees to abide by the terms and conditions of the Confidentiality Agreement entered into between the Joint Applicants and the Office of the Attorney General.

WHEREFORE, the Attorney General submits this Notice.

Respectfully submitted,

GREGORY D. STUMBO  
ATTORNEY GENERAL



David Edward Spenard  
Dennis G. Howard II  
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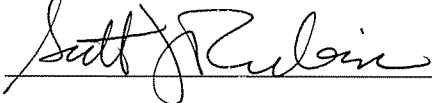
COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

Joint Application of Duke Energy )  
Corporation, Duke Energy Holding Corp., )  
Deer Acquisition Corp., Cougar Acquisition )  
Corp., Cinergy Corp., The Cincinnati Gas & ) Case No. 2005-00228  
Electric Company, and The Union Light, Heat )  
and Power Company for Approval of a )  
Transfer and Acquisition of Control )

**AGREEMENT REGARDING MATERIAL AFFORDED  
TEMPORARY OR PERMANENT CONFIDENTIAL TREATMENT**

I have read, understand, and agree to abide by the terms and conditions of the Agreement  
Regarding Material Afforded Temporary or Permanent Confidential Treatment executed on  
August 25, 2005,

Name: 

Company: Scott J. Rubin

Address: 3 Lost Creek Drive, Selinsgrove, PA 17870

Telephone: 570-743-2233

*Notice of Filing and Certificate of Service*

Counsel certifies filing of the original and ten photocopies of this Notice by hand delivery to Beth O'Donnell, Executive Director, Public Service Commission, 211 Sower Boulevard, Frankfort, Kentucky 40601; furthermore, service of the filing was by mailing a true and correct of the same, first class postage prepaid, to John J. Finnigan, Jr., The Union Light, Heat and Power Company, 139 East Fourth Street, Cincinnati, Ohio, 45202; Kodwo Ghartey-Tagoe, Duke Power, P. O. Box 1244, Mail Code: PB05E, Charlotte, North Carolina 28201; Michael L. Kurtz, Boehm, Kurtz, & Lowry, 36 East Seventh Street Suite 1510, Cincinnati, Ohio 45202; Paul R. Newton, Duke Power P. O Box 1244, Mail Code: PB05E, Charlotte, North Carolina 28201; Kate E. Moriarty, The Union Light, Heat and Power Company, 139 East Fourth Street, Cincinnati, Ohio 45202; and Robert M. Watt III, Stoll, Keenon & Park, LLP, 300 West Vine Street, Suite 2100, Lexington, Kentucky 40507-1093, all on this 1<sup>st</sup> day of September 2005.

David Edward Sporn  
Assistant Attorney General