Steven L. Beshear Governor

Robert D. Vance, Secretary Environmental and Public Protection Cabinet

Larry R. Bond Commissioner Department of Public Protection

John J. Finnigan, Jr. Duke Energy Kentucky, Inc. 139 East Fourth Street, EX 400 Cincinnati, OH 45202



Commonwealth of Kentucky Public Service Commission 211 Sower Blvd. P.O. Box 615 Frankfort, Kentucky 40602-0615 Telephone: (502) 564-3940 Fax: (502) 564-3460 psc.ky.gov

#### April 11, 2008

Mark David Goss Chairman

> John W. Clay Vice Chairman

Caroline Pitt Clark Commissioner

RE: Case No. 2007-00369

We enclose one attested copy of the Commission's Order in the above case.

Sincerely,

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Stephanie Stumbo Executive Director

SS/tw Enclosure

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Steven L. Beshear Governor

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# April 11, 2008

Honorable Dennis G. Howard II Assistant Attorney General Office of the Attorney General Utility & Rate Intervention Division 1024 Capital Center Drive Suite 200 Frankfort, KY 40601-8204

Mark David Goss Chairman

> John W. Clay Vice Chairman

**Caroline Pitt Clark** Commissioner

RE: Case No. 2007-00369

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### COMMONWEALTH OF KENTUCKY

#### BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE ANNUAL COST RECOVERY FILING FOR DEMAND SIDE MANAGEMENT BY DUKE ENERGY KENTUCKY, INC.

CASE NO. 2007-00369

## ORDER

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This matter is before the Commission upon Duke Energy Kentucky, Inc.'s ("Duke") motion to amend the procedural schedule to permit the filing of reply comments. Duke has filed its reply comments contemporaneous with the filing of the motion. Duke contends that the current procedural schedule does not allow it an opportunity to respond to the Attorney General's comments, which were filed on March 24, 2008. Duke asserts that, given the nature of the opinions expressed by the Attorney General in his comments, it should have an opportunity to respond to the comments to clarify the record. Duke maintains that the filing of reply comments would not unreasonably delay the proceeding, but would enable the Commission to better evaluate Duke's application.

Having considered the motion, the Commission finds that good cause has been shown to amend the procedural to permit Duke to file reply comments.

IT IS THEREFORE ORDERED that:

1. Duke's motion to amend the procedural schedule is granted.

2. Duke's Reply to the Attorney General's Comments is hereby deemed filed and made part of the official record of this case. Done at Frankfort, Kentucky, this 11th day of April, 2008.

By the Commission

ATTEST rm Executive Director

Case No. 2007-00369