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PUBLIC SERVICE  
COMMISSION

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of: )  
)  
AN INVESTIGATION OF THE )  
ENERGY AND REGULATORY ISSUES ) CASE NO. 2007-00477  
IN SECTION 50 OF KENTUCKY'S 2007 )  
ENERGY ACT )

DUKE ENERGY KENTUCKY, INC.'S REQUESTS FOR INFORMATION TO THE  
KENTUCKY INDUSTRIAL UTILITY CONSUMERS INC.,

Now comes Duke Energy Kentucky, Inc., and submits its Requests for information to the Kentucky Industrial Energy Utility Consumers Inc., ("KIUC"), to be answered by the date specified in the Commission's Order and in accord with the following:

For purpose of these discovery requests, the following terms shall have meanings set forth below:

(1) As used herein, "document", "documentation" and/or "record", whether stated as the singular or the plural, means any course of binders, book, pamphlet, periodical, letter, correspondence, memoranda, including but not limited to, any memorandum or report of a meeting or telephone or other conversation, invoice, account, credit memo, debit memo, financial statement, general ledger, ledger, journal, work papers, account work papers, report, diary, telegram, record, contract, agreement, study, draft, telex, handwritten or other note, sketch, picture, photograph, plan, chart, paper, graph, index, tape, data processing card, data processing disc, data cells or sheet, check acceptance draft, e-mail, studies, analyses, contracts, estimates, summaries, statistical statements, analytical records, reports and/or summaries of investigations, opinions or reports of consultants, opinions or reports of accountants, trade letters, comparisons, brochures, pamphlets, circulars, bulletins, notices, forecasts, electronic communication, printouts, all other data compilations from which information can be obtained (translated if necessary by defendants into usable form), any preliminary versions, drafts or revisions of any of the foregoing, and/or any other written, recorded, transcribed, punched, taped, filmed or graphic matter, however produced or reproduced and regardless of origin or location, in the possession, custody and/or control of the defendant and/or their agents, accountants, employees, representatives and/or attorneys. "Document" and "record" also mean all copies of documents by whatever means made, if the copy bears any other markings or notations not found on the original.

(2) The terms “relating to”, “referring to”, “referred to”, “pertaining to”, “pertained to” and “relates to” means referring to, reporting, embodying, establishing, evidencing, comprising, connected with, commenting on, responding to, showing, describing, analyzing, reflecting, presenting and/or constituting and/or in any way involving.

(3) The terms “and”, “or”, and “and/or” within the meaning of this document shall include each other and shall be both inclusive and disjunctive and shall be construed to require production of all documents, as above-described, in the broadest possible fashion and manner.

(4) To “identify” shall mean:

(a) With respect to a document, to state its date, its author, its type (for example, letter, memorandum, chart, photograph, sound reproduction, etc.), its subject matter, its present location and the name of its present custodian. The document may be produced in lieu of supplying the foregoing information. For each document which contains information as privileged or otherwise excludable from discovery, there shall be included a statement as to the basis for such claim of privilege or other grounds for exclusion.

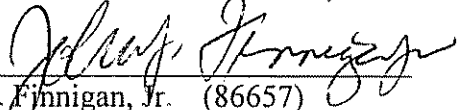
(b) With regard to a natural person, to state his or her full name, last known employer or business affiliation, title and last known home address.

(c) With regard to a person other than a natural person, state the title of that person, any trade name, or corporate name or partnership name used by that person, and the principal business address of that person.

(5) To “produce” or to “identify and produce”, shall mean that KIUC shall produce each document or other requested tangible thing. For each tangible thing which KIUC contends are privileged or otherwise excludable from discovery, there shall be included a statement as to the basis for such claim of privilege or other grounds for exclusion.

Respectfully submitted,

DUKE ENERGY KENTUCKY, INC.

  
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## REQUESTS FOR INFORMATION

1. Referring to page 7, lines 12 through 16 of Witness Kevin C. Higgins's Testimony, please identify the states and proceedings, including utilities' names and dockets/ case numbers, in which Witness Higgins is referring to when he is describing his experience in "various states."

Response:

2. Referring to page 7, lines 16 through 20 of Witness Higgin's Testimony, does Witness Higgins believe that it is unreasonable for a utility to capture any percentage of cost-savings through incentives and/ or rewards for implementing cost-effective DSM programs?

RESPONSE:

3. If the response to interrogatory number 2 above, is in the negative, is there a percentage of cost savings that would be reasonable for utilities to capture through incentives and/ or rewards for implementing cost effective DSM programs? If the response is in the affirmative, what percentage would be reasonable and how should that percentage be determined?

RESPONSE:

4. Referring to page 8, lines 4 through 8, of Witness Higgin's Testimony, other than the Minnesota example provided, are there any other examples of state utility commission's which have approved what Mr. Higgins would consider aggressive rewards for DSM programs offered by utilities? If the response is in the affirmative, please provide the following:
- (a) State Commission and docket/ case number
  - (b) Date of approval
  - (c) Utility name
  - (d) Brief description of the program and why the witness believes it is aggressive and/ or unreasonable.

RESPONSE:

5. Referring to page 8, lines 4 through 8, of Witness Higgin's Testimony, other than the Minnesota example provided, are there any other examples of state utility commission's which have approved what Mr. Higgins would consider reasonable rewards for DSM programs offered by utilities? If the response is in the affirmative, please provide the following:
- (e) State Commission and docket/ case number
  - (f) Date of approval
  - (g) Utility name
  - (h) Brief description of the program and why the witness believes it is reasonable and/ or unreasonable.

RESPONSE:

**CERTIFICATE OF SERVICE**

I certify that a copy of the attached Requests for Information to Kentucky Industrial Utility Consumers, Inc. on behalf of Duke Energy Kentucky, Inc. has been served by UPS overnight mail to the following parties on this 12th day of March, 2008:

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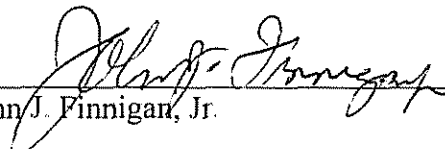
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