

**COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION**

RECEIVED

MAY 13 2008

PUBLIC SERVICE
COMMISSION

In the Matter of:

**APPLICATION OF DUKE ENERGY)
KENTUCKY, INC. TO RE-INSTITUTE A) **CASE NO. 2008-00100**
HOME ENERGY ASSISTANCE PROGRAM)**

**ATTORNEY GENERAL'S SUPPLEMENTAL
REQUESTS FOR INFORMATION
TO NORTHERN KENTUCKY COMMUNITY ACTION COMMISSION**

Comes now the intervenor, the Attorney General of the Commonwealth of Kentucky, by and through his Office of Rate Intervention, and submits his Supplemental Requests for Information to Northern Kentucky Community Action Commission to be answered in accordance with the following:

(1) In each case where a request seeks data provided in response to a staff request, reference to the appropriate request item will be deemed a satisfactory response.

(2) Please identify the witness who will be prepared to answer questions concerning each request.

(3) These requests shall be deemed continuing so as to require further and supplemental responses if the company receives or generates additional information within the scope of these requests between the time of the response and the time of any hearing conducted hereon.

(4) If any request appears confusing, please request clarification directly from the Office of Attorney General.

(5) To the extent that the specific document, workpaper or information as requested does not exist, but a similar document, workpaper or information does exist, provide the similar document, workpaper, or information.

(6) To the extent that any request may be answered by way of a computer printout, please identify each variable contained in the printout which would not be self evident to a person not familiar with the printout.

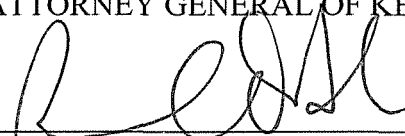
(7) If the company has objections to any request on the grounds that the requested information is proprietary in nature, or for any other reason, please notify the Office of the Attorney General as soon as possible.

(8) For any document withheld on the basis of privilege, state the following: date; author; addressee; indicated or blind copies; all persons to whom distributed, shown, or explained; and, the nature and legal basis for the privilege asserted.

(9) In the event any document called for has been destroyed or transferred beyond the control of the company, please state: the identity of the person by whom it was destroyed or transferred, and the person authorizing the destruction or transfer; the time, place, and method of destruction or transfer; and, the reason(s) for its destruction or transfer. If destroyed or disposed of by operation of a retention policy, state the retention policy.

Respectfully submitted,

JACK CONWAY
ATTORNEY GENERAL OF KENTUCKY



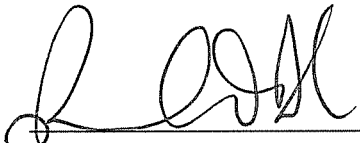
DENNIS HOWARD II
PAUL D. ADAMS
ASSISTANT ATTORNEYS GENERAL
1024 CAPITAL CENTER DRIVE
FRANKFORT KY 40601-8204
(502) 696-5453
FAX: (502) 573-8315
dennis.howard@ag.ky.gov
paul.adams@ag.ky.gov

CERTIFICATE OF SERVICE AND NOTICE OF FILING

I hereby give notice that this the 13th day of May, 2008, I have filed the original and ten copies of the foregoing with the Kentucky Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky, 40601 and certify that this same day I have served the parties by mailing a true copy of same, postage prepaid, to those listed below.

Honorable Rocco O. D'Ascenzo
Senior Counsel
Honorable Amy B. Spiller
Associate General Counsel
Duke Energy Kentucky, Inc.
139 East Fourth Street
P.O. Box 960
Cincinnati, OH 45201-0960

Honorable Thomas Vergamini
Taft Stettinius & Hollister LLP
1717 Dixie Highway, Suite 340
Covington, KY 41011-4704


Assistant Attorney General

**ATTORNEY GENERAL'S SUPPLEMENTAL REQUESTS FOR INFORMATION TO
NORTHERN KENTUCKY COMMUNITY ACTION COMMISSION
Case No. 2008-00100**

1. Please reference the Company's Responses to the Supplemental Data Requests of Commission Staff in Case No. 2007-00369, Question 3, Part f. With reference to the administration of the program by the Northern Kentucky Community Action Commission (NKCAC), please provide a breakdown of the proposed administrative costs, which are stated to be approximately \$41,000.00.

2. Please reference the Company's Responses to the Supplemental Data Requests of Commission Staff in Case No. 2007-00369, Question 3, Part f. With reference to the administration of the program by the Northern Kentucky Community Action Commission (NKCAC), please explain in detail why additional administration funds are appropriate in light of the fact that the Company's existing low-income programs are already being administered by NKCAC.

3. Please reference the Company's Responses to the Supplemental Data Requests of the Attorney General dated April 11, 2008, Question 1. In the response the Company states that the bulk (90% or approximately \$37,000.00) of the administration fees paid to NKCAC will be allocated to staff salaries and benefits. Please provide a detailed breakdown of exactly how these funds will be allocated by NKCAC including whether NKCAC intends to hire additional staff as part of its administration of the proposed program and whether the funds will be used to provide pay increases of any sort (i.e. salaries, benefits, etc.) to NKCAC's existing staff.

4. Concerning the proposed administrative funds, please explain in detail how NKCAC is paid,

or otherwise remunerated for its services, e.g. fixed amount per participant, lump sum, etc.

5. Please reference the Company's Responses to the Supplemental Data Requests of the Attorney General dated April 11, 2008, Question 1. The Company states that total number of customers which could be eligible for benefits under the proposed program is approximately 32,000. As NKCAC administered the pilot program on behalf of the Company in Case No. 2005-00402, please provide the following:

- a. Total number of participants in the pilot program;
- b. The number of participants in the pilot program with incomes within the target range of 150%-200% of the federal poverty guideline level;
- c. The average benefit level paid for all participants in the pilot program;
- d. The average benefit level in the pilot program for participants within the income target range of 150%-200% of the federal poverty guideline level;
- e. An estimate of the number of participants in the proposed program with incomes within the 150%-200% of the federal poverty guideline level included in the Company's 32,000 estimate;
- f. The number of participants who received benefits under the pilot program and benefits under one or more of the Company's other programs; and,
- g. The average benefit level paid for participants receiving benefits under the pilot program and under one or more of the Company's other programs.

6. Please reference the Company's Responses to the Supplemental Data Requests of the Attorney

General dated April 11, 2008, Question 5. The Company states that the formula used by NKCAC to qualify participants under the proposed HEA program will not include cash value benefits received by the participant from any public or private agency and notes that no federally funded assistance programs consider these types of benefits as income. As the proposed program is funded by ratepayers and is NOT federally funded, please provide a detailed explanation as to why NKCAC will not use the cash value of other benefits received by participants in its income calculations.

7. Please reference the Company's Responses to the Supplemental Data Requests of the Attorney General dated March 11, 2008, Question 1 and April 11, 2008, Question 5. In its responses, the Company notes that it is responding to a request from NKCAC in proposing the subject program and asserts that customers at the 150%-200% federal poverty guideline level require the proposed assistance.

- a. Please explain in detail what efforts NKCAC took in addressing this shortfall prior to contacting the Company and the result of these efforts;
- b. Please explain in detail why NKCAC believes ratepayers should be required to address this shortfall in light of the failure of NKCAC's other efforts; and,
- c. Please explain in detail the basis of the assertion by the Company on behalf of NKCAC that customers at the 150%-200% federal poverty guideline level require the proposed assistance.