



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**  
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Mark David Goss  
Chairman

John W. Clay  
Vice Chairman

Caroline Pitt Clark  
Commissioner

February 25, 2008

RE: Case No. 2007-00369

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

Sincerely,

A handwritten signature in black ink, appearing to read "Beth O'Donnell".

Beth O'Donnell  
Executive Director

BOD/tw  
Enclosure



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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

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COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE ANNUAL COST RECOVERY )  
FILING FOR DEMAND SIDE ) CASE NO. 2007-00369  
MANAGEMENT BY DUKE ENERGY )  
KENTUCKY, INC. )

O R D E R

On February 11, 2008, Duke Energy Kentucky, Inc. ("Duke Kentucky") filed a request to amend its Demand Side Management ("DSM") application to re-institute its Home Energy Assistance ("HEA") program for a three-year period (2008-2010) to be administered under its WinterCare program. The present HEA is structured in the same manner as the original HEA pilot program. The Commission approved the one-year pilot program in 2006.<sup>1</sup>

Duke Kentucky also requests approval of the HEA program after 20 days' notice, as allowed under KRS 278.180(1), so that it can implement this program while the Commission completes its review of the remainder of Duke Kentucky's pending DSM application. Duke Kentucky's HEA application provides that the new rates will take effect 20 days from the date of the filing of the HEA application.

Finding good cause to grant Duke Kentucky's motion, the Commission hereby amends the procedural schedule as set out in our Order of January 14, 2008. A revised procedural schedule is set forth in Appendix A, which is attached hereto and

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<sup>1</sup> Case No. 2005-00402, The Annual Cost Recovery Filing for Demand Side Management by The Union Light, Heat and Power Company.

incorporated herein. The Commission also finds that an investigation of the new rates is necessary to determine their reasonableness and that such investigation cannot be concluded prior to the effective date. Consequently, pursuant to KRS 278.190(2), the Commission will suspend the effective date of the new rates for 5 months.

IT IS THEREFORE ORDERED that:

1. Duke Kentucky's request to amend the original filing is granted.
2. The procedural schedule set forth in Appendix A, which is attached hereto and incorporated herein, shall be followed and supersedes the previous schedule established in the Commission's January 14, 2008 Order.
3. Duke Kentucky's proposed Rider DSMR sheets with the inclusion of the HEA program incremental rates are suspended for a period of 5 months from March 3, 2008 up to and including August 2, 2008.
4. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

Done at Frankfort, Kentucky, this 25<sup>th</sup> day of February, 2008.

By the Commission

ATTEST:



Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2007-00369 DATED FEBRUARY 25, 2008

REVISED PROCEDURAL SCHEDULE

Intervenors and Commission Staff may serve interrogatories and requests  
for production of documents upon Duke Kentucky no later than ..... 02/29/08

Duke Kentucky shall file with the Commission and serve upon all  
parties of record responses to interrogatories and requests for production of  
documents no later than ..... 03/11/08

Any party desiring to file written comments on Duke Kentucky's  
Proposals shall do so no later than..... 03/24/08