

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF DUKE ENERGY KENTUCKY,)
INC. FOR A DECLARATORY ORDER THAT)
THE CONSTRUCTION OF A NEW LANDFILL)
CONSTITUTES AN ORDINARY EXTENSION IN)
THE USUAL COURSE OF BUSINESS OR, IN)
THE ALTERNATIVE, FOR A CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY)

Case No.
2015-00089

RECEIVED

APR 10 2015

PUBLIC SERVICE
COMMISSION

ATTORNEY GENERAL'S FIRST REQUEST FOR INFORMATION

Comes now the intervenor, the Attorney General of the Commonwealth of Kentucky, by and through his Office of Rate Intervention, and submits this First Request for Information to Duke Energy Kentucky, Inc. ("Duke") to be answered by the date specified in the Commission's Order of Procedure, and in accord with the following:

(1) In each case where a request seeks data provided in response to a staff request, reference to the specific portion of 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) Please repeat the question to which each response is intended to refer. The Office of the Attorney General can provide counsel for Duke with an electronic version of these questions, upon request.

(4) 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.

(5) Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

(6) If you believe any request appears confusing, please request clarification directly from Counsel for the Office of Attorney General.

(7) 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.

(8) 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.

(9) 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.

(10) As used herein, the words "document" or "documents" are to be construed broadly and shall mean the original of the same (and all non-identical copies or drafts thereof) and if the original is not available, the best copy available. These terms shall include all information recorded in any written, graphic or other tangible form and shall include, without limiting the generality of the foregoing, all reports; memoranda; books or notebooks; written or recorded statements, interviews, affidavits and depositions; all letters or correspondence; telegrams, cables and telex messages; contracts, leases, insurance policies or other agreements; warnings and caution/hazard notices or labels; mechanical and electronic recordings and all information so stored, or transcripts of such recordings; calendars, appointment books, schedules, agendas and diary entries; notes or memoranda of conversations (telephonic or otherwise), meetings or conferences; legal pleadings and transcripts of legal proceedings; maps, models, charts, diagrams, graphs and other demonstrative materials; financial statements, annual reports, balance sheets and other accounting records; quotations or offers; bulletins, newsletters, pamphlets, brochures and all other similar publications; summaries or compilations of data; deeds, titles, or other instruments of ownership; blueprints and specifications; manuals, guidelines, regulations, procedures, policies and instructional materials of any type; photographs or pictures, film, microfilm and microfiche; videotapes; articles; announcements and notices of any type; surveys, studies, evaluations, tests and all research and development (R&D) materials;

newspaper clippings and press releases; time cards, employee schedules or rosters, and other payroll records; cancelled checks, invoices, bills and receipts; and writings of any kind and all other tangible things upon which any handwriting, typing, printing, drawings, representations, graphic matter, magnetic or electrical impulses, or other forms of communication are recorded or produced, including audio and video recordings, computer stored information (whether or not in printout form), computer-readable media or other electronically maintained or transmitted information, and all other rough drafts, revised drafts (including all handwritten notes or other marks on the same) and copies of documents as hereinbefore defined by whatever means made.

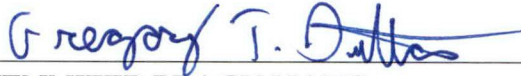
(11) For any document withheld on the basis of privilege, state the following: date; author; addressee; indicated or blind copies; all persons to whom distributed, shown, or explained; and, the nature and legal basis for the privilege asserted.

(12) 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.

(13) Please provide written responses, together with any and all exhibits pertaining thereto, in one or more bound volumes, separately indexed and tabbed by each response, in compliance with Kentucky Public Service Commission Regulations.

Respectfully submitted,

JACK CONWAY
ATTORNEY GENERAL



JENNIFER BLACK HANS
GREGORY T. DUTTON
LAWRENCE W. COOK
STEFANIE J. KINGSLEY
ASSISTANT ATTORNEYS GENERAL
1024 CAPITAL CENTER DRIVE, SUITE 200
FRANKFORT KY 40601-8204
(502) 696-5453
FAX: (502) 573-1005
Gregory.Dutton@ky.gov
Stefanie.Kingsley@ky.gov
Larry.Cook@ky.gov
Jennifer.Hans@ky.gov

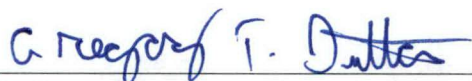
Certificate of Service and Filing

Counsel certifies that an original and ten photocopies of the foregoing were served and filed by hand delivery to Jeff Derouen, Executive Director, Public Service Commission, 211 Sower Boulevard, Frankfort, Kentucky 40601; counsel further states that true and accurate copies of the foregoing were mailed via First Class U.S. Mail, postage pre-paid, to:

Rocco O D'Ascenzo
Duke Energy Kentucky, Inc
139 East Fourth Street
PO BOX 960
Cincinnati, OH 45201

Duke Energy
139 East Fourth Street
Cincinnati, OH 45202

this 10th day of April, 2015.



Assistant Attorney General

Application of Duke Energy Kentucky, Inc. for a Declaratory Order that the Construction of a New Landfill
Constitutes an Ordinary Extension in the Usual Course of Business or, in the Alternative,
for a Certificate of Public Convenience and Necessity
Case No. 2015-00089
Attorney General's First Request for Information

1. What is the anticipated number of remaining years of the current usage of East Bend Station generating facility?
2. Will all cells planned in construction conform to EPA's recent requirements for a coal combustion residue landfills?
 - a. If no, please explain the rationale.
 - b. If no, will Duke take steps to limit potential financial liability for the cells not in compliance with the CCR rule?
3. Provide all materials and documentation of alternative sites Duke explored to site the proposed landfill.
 - a. If no other sites were explored, why not?
4. Provide maps or other evidence demonstrating whether the proposed site is located in a floodplain.
5. Provide a map or diagram showing the distance from the Ohio river to the proposed landfill site.
6. What aspects of the projected site have been designed or planned to prevent threat of flooding on the proposed landfill site?
7. What volume of material, in cubic yards, does Duke anticipate placing into the landfill annually?
8. Reference Application paragraphs 16 and 17. If the first phase is estimated to cost \$30 million, and the subsequent 7 phases are estimated to cost \$18 million each, then the total construction estimate should be \$156 million. What is the reason for the additional \$3 million included in the estimated budget provided in paragraph 16 on page 10 of the Application?
9. Does Duke have plans to contract with other generating facilities to accept fly ash? If so, provide an explanation of the plan or actual contracts with other generators.
10. Will Duke be placing any materials into the landfill other than poz-o-tec? If so, what materials and in approximately what amounts annually?