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Attorneys at Law

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February 25, 2016

RECEIVED

FEB 25 2016

**PUBLIC SERVICE
COMMISSION**

Via Hand-Delivery

Executive Director
Kentucky Public Service Commission
P.O. Box 615
211 Sower Boulevard
Frankfort, KY 40602

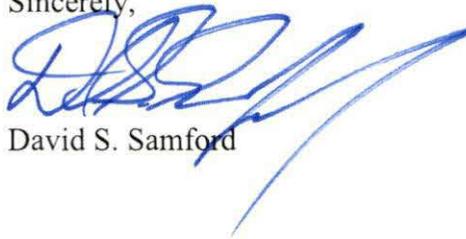
Re: In the Matter of: Application of Duke Energy Kentucky, Inc. for a Certificate of Public Convenience and Necessity to Bid on a Franchise to Serve the City of Erlanger, Kentucky; Case No. 2016-00096

Dear Executive Director:

Enclosed please find for filing with the Commission in the above-referenced case an original and ten (10) copies of Duke Energy Kentucky Inc.'s Application regarding the above-styled matter. Please return a file-stamped copy to me.

Please do not hesitate to contact me if you have any questions.

Sincerely,



David S. Samford

Enclosures

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

FEB 25 2016

PUBLIC SERVICE
COMMISSION

IN THE MATTER OF:

APPLICATION OF DUKE ENERGY)
KENTUCKY, INC. FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND)
NECESSITY TO BID ON A FRANCHISE)
TO SERVE THE CITY OF ERLANGER,)
KENTUCKY)

CASE NO. 2016-00096

APPLICATION

Comes now Duke Energy Kentucky, Inc. (Duke Energy Kentucky or Company), by counsel, pursuant to KRS 278.020(4), 807 KAR 5:001, Section 15(1), 807 KAR 5:001 Section 14 and other applicable law, and tenders hereby its application for a certificate of public convenience and necessity to apply for and obtain a franchise from the city of Erlanger, in Kenton County, Kentucky ("Erlanger"), to provide electricity and natural gas transmission and distribution service, respectfully stating as follows:

1. Duke Energy Kentucky is a Kentucky corporation, originally incorporated on March 20, 1901, that is in good standing and operating as a combined electric and natural gas utility serving approximately 240,000 customers in six Kentucky counties. Duke Energy Kentucky's business address is 139 East Fourth Street, Cincinnati, Ohio 45202 and its local address is Duke Energy Envision Center, 4580 Olympic Boulevard, Erlanger, Kentucky, 41018. The Company's email address is KyFilings@duke-energy.com. Duke Energy Kentucky is the successor to Union Light, Heat and Power which held a franchise for the use of the City streets, alleys and public grounds to provide electricity and natural

gas transmission and distribution facilities and services within the territorial limits of Erlanger. However, that franchise will soon expire.

2. Duke Energy Kentucky proposes to bid upon a new municipal franchise to place natural gas transmission and distribution facilities in public streets and places of Erlanger and to provide related service to Erlanger. The new franchise will be awarded by the Erlanger City Council.
3. The Erlanger City Council has authorized Municipal Order No. 02-16-16-02, incorporating the existing ordinances pertaining to the current franchise. These ordinances, Ordinance Nos. 2378 and 2382, are being renewed and the same terms and conditions of the current franchise will remain for the new franchise. Erlanger has directed that bids shall be received on or before Thursday, March 31, 2016. A copy of the Municipal Order is attached hereto as Exhibit A and incorporated herein by reference. A copy of the Legal Notice that was published in the Enquirer on February 22, 2016, by Erlanger regarding said new franchise is attached hereto as Exhibit B and incorporated herein by reference.
4. As evidenced by the Ordinance, there is, and will continue to be, a demand and need for the facilities and services sought to be rendered by Duke Energy Kentucky pursuant to the franchise.
5. Upon obtaining the franchise from Erlanger, Duke Energy Kentucky will file true and correct copies of same with the Commission.

WHEREFORE, on the basis of the foregoing, Duke Energy Kentucky respectfully requests the Commission to approve this application and to issue to Duke Kentucky a

certificate of public convenience and necessity authorizing it to apply for and obtain a franchise from Erlanger, as set forth herein.

This the 25th day of February, 2016.

Respectfully Submitted,



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and

Rocco O. D'Ascenzo
Duke Energy Business Services, LLC
139 East Fourth Street/1303-Main
P.O. Box 960 Cincinnati, OH 45202
(513) 287-4320
Rocco.D'Ascenzo@duke-energy.com

Counsel for Duke Energy Kentucky, Inc.

MUNICIPAL ORDER NO. 02-16-16-02

A MUNICIPAL ORDER OF THE CITY OF ERLANGER, IN KENTON COUNTY, KENTUCKY, AUTHORIZING A REQUEST FOR BIDS FOR THE AWARD OF A THREE (3) YEAR NON-EXCLUSIVE FRANCHISE FROM THE CITY FOR THE USE OF THE PUBLIC STREETS, ALLEYS AND OTHER PUBLIC GROUNDS IN THE CITY FOR THE TRANSMISSION AND DISTRIBUTION OF EITHER OR BOTH NATURAL GAS AND ELECTRICITY THROUGH AND FOR CONSUMPTION WITHIN THE CITY

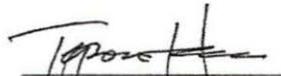
WHEREAS, both Duke Energy Kentucky, Inc. ("Duke Energy") and the Owen County Rural Electric Cooperative (OCREC) are public utilities subject to the provisions of Sections 163 and 164 of the Kentucky Constitution and K.R.S. 96.010 through 96.045; and

WHEREAS, Sections 163 of the Kentucky Constitution prohibits public utilities from using the streets, alleys and other public grounds within a city without a franchise from the city for that use; and

WHEREAS, pursuant to Erlanger ordinances No. 2378 as amended by ordinance 2382, both of which are incorporated herein by reference, the City of Erlanger (City) has established a non-exclusive franchise for the use of the streets, alleys and public grounds of the City for the transmission and distribution of either or both electricity and natural gas through and for consumption within the City, with an effective period of three (3) years after the grant and award of the franchise

WHEREAS, both Duke Energy and OCREC now use the streets, alleys and public grounds of the City for the transmission and distribution of either or both electricity and natural gas through and for consumption within the City pursuant to non-exclusive franchises from the City, the effective period of which expires on June 30, 2016; and no other utility provides for such transmission and distribution of electricity and natural gas;

NOW, THEREFOR, for the purpose of continuing to provide for the transmission and distribution of both electricity and natural gas through and for consumption within the City, the executive authority of the City is hereby authorized and directed to solicit and advertise for bids for non-exclusive franchises for the use of the streets, alleys and public grounds of the City of Erlanger for the transmission and distribution of either or both electricity and natural gas through and for consumption within the City, the effective period of which begins at midnight on Friday, June 30, 2016 and expires at midnight on Sunday, June 30, 2019.



TYSON HERMES, Mayor



CERTIFICATION

The undersigned, Melissa Andress, Director of Administration/City Clerk of the City of Erlanger, in Kenton County, Kentucky, hereby certifies as follows:

1. The foregoing Municipal Order No. 02-16-16-02 was introduced in writing and read to the City Council for the City of Erlanger at a special meeting thereof on the sixteenth (16th) day of February, 2016, and at which a quorum was present; and said municipal order was enacted by the City Council of the City of Erlanger upon the affirmative vote of at least a majority of a quorum thereof, at the meeting thereof on the sixteenth (16th) day of February, 2016, with a roll call vote taken of City Council entered upon the official record of such meeting; and
2. After the passage and adoption of the foregoing municipal order by the City Council of the City of Erlanger, it was submitted to the Mayor of the City of Erlanger who approved said municipal order by affixing his signature thereto.


Melissa Andress

Director of Administration/City Clerk

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CITY OF CRESTVIEW HILLS, KENTUCKY
2016 STREET SPOT REPAIR BIDS

NOTICE TO BIDDERS

The City of Crestview Hills, Kentucky will receive sealed bids at the City Building, 50 Town Center Boulevard, Crestview Hills, Kentucky, until 10:00 AM, local time, on Thursday, March 3rd, 2016 at which time they will be opened and read aloud, for the repair of existing street paving in several areas throughout the City. All construction work must be completed by June 18th, 2016.

Plans and specifications for this work are available from the City of Crestview Hills, 50 Town Center Boulevard, Crestview Hills, Kentucky, 41017, (859) 341-7373, at a cost of \$5.00 per set of Plans and Specifications.

All bids must be accompanied by a Bid Bond in the amount of 5% of the bid. The successful bidder will be required to provide a performance bond in the amount of one hundred (100%) of the bid.

The City reserves the right to reject any and all bids and accept the lowest and best bid.

BY: /s/ Paul W. Meier, Mayor
City of Crestview Hills
Pub: KY, Feb22, '16#1067113

CITY OF CRESTVIEW HILLS, KENTUCKY
2016 Street Crack Seal Work Various Streets

NOTICE TO BIDDERS

The City of Crestview Hills, Kentucky will receive sealed bids at the City Building, 50 Town Center Boulevard, Crestview Hills, Kentucky, until Thursday, March 3rd, 2016 at 3:00 pm, local time, at which time they will be opened and read aloud, for the sealing of various City streets. All seal work must be completed by Friday, March 27th, 2016.

Specifications for this work are available from the City of Crestview Hills, 50 Town Center Boulevard, Crestview Hills, Kentucky 41017, (859) 341-7373.

The successful bidder will be required to provide a performance bond in the amount of one hundred and percent (100%) of the bid.

The City reserves the right to reject any and all bids and accept the lowest and best bid.

BY: /s/ Paul W. Meier, Mayor
City of Crestview Hills
Pub: KY, Feb22, '16#1066473

CITY OF ERLANGER SOLICITATION OF BIDS AND PROPOSALS

The City of Erlanger (City), 505 Commonwealth Avenue, Erlanger, Kentucky 41018, hereby solicits bids and proposals for the award of a three (3) year non-exclusive franchise for the use of the public streets, alley and other public grounds in the City for the transmission and distribution of either or both natural gas and electricity through and for consumption within the City, the terms of which are included in Ordinance No. 2378 as amended by Ordinance No. 2382 that are available from the City Clerk. The three (3) year period of the franchise shall begin on July 1, 2016.

All bids and proposals in response to this solicitation must be received by the Erlanger City Clerk at the Erlanger Municipal Center in a sealed envelope labeled "2016 Energy Franchise Bid" on or before 4:00 P.M. on March 31, 2016; and they shall remain open for acceptance by the City for thirty (30) days thereafter.

The City of Erlanger reserves the right to reject any and all bids and proposals submitted in response to this advertisement and solicitation.

Pub: KY, Feb22, Mar17, '16#1066334

NOTICE OF ORDINANCE GRANTING FRANCHISE

By virtue of an ordinance heretofore passed by the City Council of Mentor, Kentucky, Kentucky Utilities Company has been awarded an electric franchise. Said franchise is more particularly described and fully defined in an ordinance granting and creating the same, the full text of which is available for inspection in the office of the Mentor City Clerk, PO Box 3, Mentor, Kentucky. The ordinance by title and summary is as follows: 2015-02. AN ORDINANCE CREATING A FRANCHISE FOR THE ERECTION, LAYING AND MAINTENANCE OF ELECTRIC FACILITIES AND APPURTENANT FACILITIES AND EQUIPMENT IN, ALONG AND ACROSS THE PUBLIC WAYS, ROADS, STREETS, ALLEYS AND OTHER PUBLIC PLACES IN THE CITY OF MENTOR, KENTUCKY; FOR FURNISHING AND SELLING ELECTRICITY BY MEANS OF SAID FACILITIES; AND PROVIDING FOR THE SALE OF SAID FRANCHISE.

Carrie Mayer, Mentor, KY
City Clerk
Pub: KY, Feb22, '16#1066595

PUBLIC NOTICE

The Kenton County Fiscal Court is requesting sealed bids for the purchase of 2016 Ford F-150XL for use by the Northern Kentucky Drug Strike Force in accordance with specifications on file in the Purchasing Manager's Office, Kenton County Building, 303 Court Street, Room 207, Covington, Kentucky. Bids must be received in the Purchasing Manager's Office no later than 3:00 p.m., Thursday, March 3, 2016.

KENTON COUNTY FISCAL COURT
KRIS A. KNOCHELMANN, JUDGE/EXECUTIVE
Pub: Feb22, '16#1064647

Public Notice

The following matters are the subject of this public notice by the Ohio Environmental Protection Agency. The complete public notice, including any additional instructions for submitting comments, requesting information, a public hearing, or filing an appeal may be obtained at:

http://www.epa.ohio.gov/actions.aspx or Hearing Clerk, Ohio EPA, 50 W. Town St., PO Box 1049, Columbus, Ohio 43216. Ph: 614-644-2129 Email: HClerk@epa.ohio.gov

Draft Title V Air Permit to Operate

Caraustrer Mill Group, Inc. 5500 Wooster Rd. n/o, Cincinnati, OH 45226-2227 ID #: P0119611 Date of Action: 02/19/2016 Permit Desc: Title V Operating Permit renewal for two 104 MMBtu/hr natural gas-fired boilers and a paperboard mill papermaking system at a recycled paper board manufacturing facility.

ADVERTISEMENT FOR BIDS

The Covington City Manager will receive sealed bids for the:

POOL RENOVATIONS AT GOEBAL POOL & RANDOLPH POOL 2016

Said bid shall be enclosed in an envelope, marked with the aforementioned project name, and must be delivered to and time stamped by the FIRST FLOOR WINDOW FINANCE DEPARTMENT, 20 WEST PIKE STREET, COVINGTON, KY 41011 no later than 10:00 a.m., prevailing time, March 10, 2016 and will be opened and read in public by the City Clerk, or her alternate, at that time and date in the 1st floor Commission Chambers, 20 W. Pike Street, Covington, KY 41011.

Said bids will be tabulated and referred to the City Manager for recommendations to the City Commission. The City Commission reserves the right to reject any and all bids. The owner reserves the right to waive any informalities.

Further information and/or specifications may be obtained at the Community Services Department of the City of Covington, 20 W. Pike Street, Covington, KY 41011 information for bidders, form of bid, form of contract, plans, specifications and forms of bid bond, and other contract documents, if applicable, copies of which, if applicable, may be obtained at the office of Community Services at 859-292-2112 for a non-refundable cost of \$35.00 or by email at thill@covingtonky.gov for no cost.

(Pub: KY, Feb22, '16#1064570)

The permit and complete instructions for requesting information or submitting comments may be obtained at: http://epa.ohio.gov/dapc/permitsonline.aspx by entering the ID # or: Bonnie Pray, Southwest Ohio Air Quality Agency, 250 William Howard Taft Rd., Cincinnati, OH 45219. Ph: (513)946-7777. Pub: CIN, Feb22, '16#1066530

Public Notice

The following matters are the subject of this public notice by the Ohio Environmental Protection Agency. The complete public notice, including any additional instructions for submitting comments, requesting information, a public hearing, or filing an appeal may be obtained at: http://www.epa.ohio.gov/actions.aspx or Hearing Clerk, Ohio EPA, 50 W. Town St., PO Box 1049, Columbus, Ohio 43216. Ph: 614-644-2129 Email: HClerk@epa.ohio.gov

Application Received for Air Permit

Christ Hospital 2139 AUBURN AVE, CINCINNATI, OH 45219 ID #: A0055424 Date of Action: 02/15/2016 Renewal of PTIO for B004-B006; three 48.2 MMBtu/hr natural gas #2 fuel oil fired boilers. Synthetic minor for CO.

LEGAL NOTICE

By order of the Board of Education, Sycamore Community School District, sealed proposals will be received at the office of the Director of Business Operations of the Sycamore Board of Education, 5959 Hagewa Dr., Cincinnati, Ohio 45242 (note new address) until 10:30 AM, local time March 11, 2016 immediately after which they will be publicly opened and read in the conference room at 5959 Hagewa Dr., Cincinnati, Ohio 45242, for up to four (4) 72 Passenger Buses according to the specifications of the Sycamore Board of Education.

Each bid must contain the name of every person interested therein, and shall be accompanied by a bid guaranty in the form of a bid bond for the full amount of the bid or a certified check, cashier's check, or letter of credit for ten per cent of the bid payable to the order of the Treasurer of the Board of Education and conditioned that if the bid is accepted, a contract will be entered into, and the performance of it properly secured by guaranty must be all the conditions of the uniform statute, RC 153.

LEGAL NOTICE

The Kenton County Planning Commission will hold a public hearing on Thursday evening, March 3, 2016 at 6:15 PM in the Commission Chambers of the PDS Building, 2332 Royal Drive in Fort Mitchell. The agenda for this hearing includes the following items. Please plan to attend if you want to learn more about them or to provide input.

FILE: PC1601-0003
APPLICANT: City of Elsmere per Marty Lenhof, Mayor
LOCATION: Request 1: An approximately 35-acre area located on the south side of Dixie Highway between Commonwealth Avenue and the Kenton County/Boone County line, approximately 300 feet west of Commonwealth Avenue in Elsmere.

Request 2: An approximately 5.21-acre area located on the north side of Orchard Street, between Kenton Street to the east and Caldwell Drive to the west, approximately 200 feet east of Caldwell Drive, and an approximately 0.48-acre area located between Carlisle Avenue and Kenton Street, approximately 230 feet east of Kenton Street and 140 south of Dixie Highway in Elsmere.

REQUEST: Request 1: A proposed map amendment to the Elsmere Zoning Ordinance removing the RP (Renaissance Protection) Overlay Zone from the described area which is currently zoned NC (RP).

Request 2: A proposed map amendment to the Elsmere Zoning Ordinance changing the described area from Residential One-GG (R-1GG) to Neighborhood Commercial (NC).

FILE: PC1601-0004

APPLICANT: City of Elsmere per Marty Lenhof, Mayor
LOCATION: An approximately 9.2-acre area on the south side of Garvey Avenue, between Fuchs Road to the west and Comanche Trail to the east, approximately 600 feet west of Comanche Trail.

REQUEST: A proposed map amendment to the Elsmere Zoning Ordinance changing the zoning of the described area from R-1F (Single-Family Residential) to IP-3 (Industrial Park).

FILE: PC1601-0005

APPLICANT: Henry and Elaine Fischer
LOCATION: 461 River Road; an area of approximately 0.9 acres on the south side of River Road (KY 8), located between Hayward Avenue to the east and Amsterdam Road to the west, approximately 0.25 miles west of Hayward Avenue in Villa Hills; and 469 River Road; an area of approximately 1.5-acres on the south side of River Road (KY 8), located between Hayward Avenue to the east and Amsterdam Road to the west, approximately 0.3 miles west of Hayward Avenue in Villa Hills.

REQUEST: A proposed map amendment to the Villa Hills Zoning Ordinance changing the described areas from R-1E (a single-family residential zone with a minimum lot size of 3 acres) to R-1C (a single-family residential zone with a minimum lot size of 12,500 square feet).

FILE: PC1602-0001

APPLICANT: CMC Properties per Jim Cohen on behalf of Holland Development LLC
LOCATION: 5136 Old Taylor Mill Road; an area of approximately 6.8 acres located on the east side of Old Taylor Mill Road, between Pride Parkway to the north and Millstream Drive to the south, approximately 300 feet south of Pride Parkway in Taylor Mill.

REQUEST: A proposed map amendment to the Taylor Mill Zoning Ordinance changing the described area from DTM-1 (Downtown Taylor Mill - One) and R-1C (a single-family residential zone) to R-2 (an attached single-family and multi-family residential zone).

FILE: PC1601-0006

APPLICANT: City of Fort Wright per Gary Huff, City Administrator
REQUEST: Proposed text amendments to the Fort Wright Zoning Ordinance adding a new zoning district, the INST (Institutional) Zone. The proposed text sections include Landscape, Fence and Wall, Off-Street Parking, and Sign Regulations, along with necessary cross references to other sections of the Zoning Ordinance.

WAIVER: W-509 Independence Towne Centre
APPLICANT: Independence Towne Center, LLC
LOCATION: Intersection of KY 536 and Delaware Crossing in Independence.

REQUEST: A waiver to the requirement that intersection improvements be provided at the intersection of KY 536 and Delaware Crossing imposed as part of Preliminary Plan approval granted by the Planning Commission; granting the request would relieve the developer from constructing a right-turn deceleration lane and left-turn storage lane on KY 536 at that intersection.

WAIVER: W-619 Old Fort Mitchell
APPLICANT: David M. Spaulding
LOCATION: A 2.5 acre parcel located along the north side of the terminus of Kruempelman Drive in Fort Mitchell.

REQUESTS: To grant waivers to the requirements of Appendix A, Sections 4.2.9 D and 4.2.9 F of the Kenton County Subdivision Regulations; granting the requests would: 1) waive the requirement that a full-size cul-de-sac be constructed at the terminus of Kruempelman Drive in favor of a T-type turnaround; 2) waive the requirement that access to flag lots shall only be provided from within the limits of the flag-stem portion of the lots; and 3) waive the requirement that no more than 15 percent of lots contained on a preliminary plot are flag lots.

Information submitted with these requests is available for review at PDS between 8 AM and 5 PM, Monday through Friday. A synopsis of the requests and information from the comprehensive plan will be available online at www.pdscc.org.

The Commission's bylaws and summary of procedures can also be found online at www.pdscc.org or picked up at the sign-in table the evening of the hearing. Fee free to contact staff by calling the number below or emailing legalnotices@pdscc.org if you have questions.

If you or anyone planning to attend this hearing has a disability for which we need to provide accommodations, please notify staff of your requirements at least seven days prior to the public hearing. You may submit this notification as noted in the previous paragraph or call 859.331.8980.

Paul J. Dwyer, Chair
Pub: KYENQ, Feb22, '16#105203

UPDATED ALL DAY.
NOW THAT'S REFRESHING.
CNCNAT.com
THE NEWS IS ALWAYS CHANGING. SO ARE WE.
EXHIBIT