

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF DUKE ENERGY)	
KENTUCKY, INC. FOR A CERTIFICATE OF)	CASE NO.
PUBLIC CONVENIENCE AND NECESSITY)	2023-00210
AUTHORIZING THE PHASE TWO)	
REPLACEMENT OF THE AM07 PIPELINE)	

ORDER

On June 28, 2023, Duke Energy Kentucky, Inc. (Duke Kentucky) filed a motion for a deviation from filing requirements pursuant to 807 KAR 5:001, Section 22, which states “[i]n special cases, for good cause shown, the commission may permit deviations from these rules.” Duke Kentucky sought a deviation from 807 KAR 5:001, Section 15(2)(b), which requires filers to file with a CPCN application, “[c]opies of permits, if any, from the proper public authority for the proposed construction or extension, if not previously filed with the commission. . .” Duke Kentucky stated that it has applied for necessary permits and expects to file them in the record in the next three to six months when they are expected to be granted.

Having reviewed the motion and the filing requirement at issue, the Commission finds that since no permits have issued by the proper public authority, and, because the regulation requires the filing of issued permits, none are required to be filed. The motion should be denied as moot, as no deficiency existed as to filing permits.

The Commission further finds that Duke Kentucky's application should be deemed filed as of June 30, 2023, the date Duke Kentucky cured other application deficiencies.¹

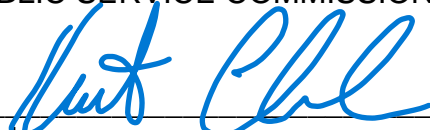
IT IS THEREFORE ORDERED that:

1. Duke Kentucky's motion for a deviation from 807 KAR 5:001, Section 15(2)(b) is denied as moot.
2. Duke Kentucky's application is deemed filed as of June 30, 2023.


[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

¹ Response to Deficiency (filed June 30, 2023).

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ENTERED
JUL 12 2023
rcs
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


Executive Director

*Debbie Gates
Duke Energy Kentucky, Inc.
139 East Fourth Street
Cincinnati, OH 45201

*Duke Energy Kentucky, Inc.
139 East Fourth Street
Cincinnati, OH 45202

*Minna Sunderman
Duke Energy Kentucky, Inc.
139 East Fourth Street
Cincinnati, OH 45201

*Rocco O D'Ascenzo
Duke Energy Kentucky, Inc.
139 East Fourth Street
Cincinnati, OH 45201