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JUL 08 2005

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COMMISSION

Cinergy Corp.
139 East Fourth Street
Rm 25 AT II
P.O. Box 960
Cincinnati, OH 45201-0960
tel 513.287.3601
fax 513.287.3810
jfinnigan@cinergy.com

John J. Finnigan, Jr.
Senior Counsel

VIA OVERNIGHT MAIL

July 7, 2005

Ms. Elizabeth O'Donnell
Executive Director,
Kentucky Public Service Commission
211 Sower Boulevard
P.O. Box 615
Frankfort, Kentucky 40602-0615

Re: In the Matter of The Joint Application of Duke Energy Corporation, Duke Energy Holding Corp., Deer Acquisition Corp., Cougar Acquisition Corp., Cinergy Corp., The Cincinnati Gas & Electric Company, and The Union Light, Heat and Power Company for Approval of a Transfer and Acquisition of Control
Case No. 2005-00228

Dear Ms. O'Donnell:

Enclosed please find an original and 11 copies of the Motion for Admission *Pro Hac Vice* to admit Kate E. Moriarty to represent The Union Light, Heat and Power Company. The Cincinnati Gas & Electric Company and Cinergy Corp., which are being submitting to you for filing in the above-referenced case. Please return the extra copy to me file-stamped in the enclosed self-addressed, stamped envelope.

If you have any questions, please feel free to contact me at (513) 287-3601.

Sincerely,

John J. Finnigan, Jr.

JJF/sew

Enclosures

cc: Hon. Dennis Howard (w/encl.)
Hon. Robert M. Watt, III (w/encl.)

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

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In the Matter of:

JUL 08 2005

Joint Application of Duke Energy Corporation,)
Duke Energy Holding Corp., Deer Acquisition)
Corp., Cougar Acquisition Corp., Cinergy Corp.,)
The Cincinnati Gas & Electric Company, and)
The Union Light, Heat and Power Company for)
Approval of a Transfer and Acquisition)
of Control)

Case No. 2005-00228

PUBLIC SERVICE
COMMISSION

MOTION FOR ADMISSION PRO HAC VICE

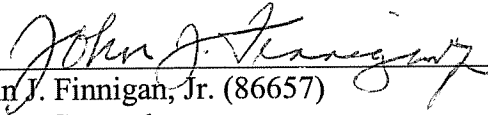
John J. Finnigan, Jr., an attorney licensed to practice in the Commonwealth of Kentucky, hereby moves the Commission to admit Kate E. Moriarty to practice law before the Commission *pro hac vice*, on behalf of The Union Light, Heat and Power Company ("ULH&P"), The Cincinnati Gas & Electric Company ("CG&E") and Cinergy Corp., in the above-captioned proceeding.

Kate E. Moriarty is Assistant General Counsel employed by Cinergy Services, Inc., an affiliate company of ULH&P, CG&E and Cinergy Corp. Applicant's business address is 139 East Fourth Street, 25th Floor Atrium II Building, Cincinnati, Ohio 45201. Further, Ms. Moriarty, having been admitted in 1996, is a member in good standing with the bar of the state of Ohio, Registration No. 0067274, and has never been suspended, disbarred or resigned as a result of disciplinary charge, investigation, or proceeding from the practice of law in any jurisdiction. No disciplinary proceeding has ever been filed against Ms. Moriarty, nor is any presently pending against her in any jurisdiction. In connection with this proceeding, Ms. Moriarty agrees to be subject to the rules of the Commission and the Kentucky Bar Association. An affidavit executed by Ms. Moriarty attesting to these facts is attached hereto.

Furthermore, attached please find the original Kentucky Bar Association Out-Of-State Certification on behalf of Kate E. Moriarty indicating Ms. Moriarty's compliance with Supreme Court Rule 3.030(2), and the attached Affidavit of Kate E. Moriarty.

WHEREFORE, ULH&P, CG&E and Cinergy Corp., through counsel, specifically request the Commission to grant this motion to allow Kate E. Moriarty to appear on their behalf and practice before it in the above-entitled matter *pro hac vice*.

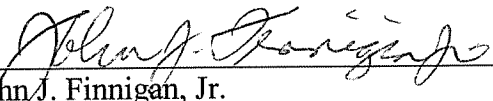
Respectfully submitted,



John J. Finnigan, Jr. (86657)
Senior Counsel
Cinergy Services, Inc.
139 E. Fourth Street, 2500 Atrium II
Cincinnati, Ohio 45201
(513) 287-3601
Fax (513) 287-3810
John.Finnigan@Cinergy.com

CERTIFICATE OF SERVICE

I hereby certify that I have on this 7th day of July, 2005, served the foregoing Motion for *Pro Hac Vice* by mailing copies, first class, postage prepaid, to the parties of record in this case, listed below.



John J. Finnigan, Jr.
Senior Counsel

Honorable Elizabeth E. Blackford
Assistant Attorney General
Office of the Attorney General
Utility & Rate Intervention Division
1024 Capital Center Drive
Suite 200
Frankfort, Kentucky 40601-8204
Betsy.blackford@law.state.ky.us

KENTUCKY BAR ASSOCIATION

514 WEST MAIN STREET
FRANKFORT, KENTUCKY 40601-1883
(502) 564-3795
FAX (502) 564-3225

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KENTUCKY BAR ASSOCIATION OUT-OF-STATE CERTIFICATION FORM

COURT KY Public Service Commission

CASE NO. 2005-00228

SCR 3.030 Membership, practice by nonmembers and classes of membership

(2) A person admitted to practice in another state, but not in this state, shall be permitted to practice a case in this state only if that attorney subjects himself or herself to the jurisdiction and rules of the court governing professional conduct, pays a per case fee of \$100.00 to the Kentucky Bar Association and engages a member of the association as co-counsel, whose presence shall be necessary at all trials and at other times when required by the court. No motion for permission to practice in any state court in this jurisdiction shall be granted without submission to the admitting court of a certification from the Kentucky Bar Association of receipt of this fee.

The Kentucky Bar Association certifies that Kate Ellen Moriarty has
paid the per case fee of \$100.00 in the above referenced case as required in SCR 3.030(2).

 6-24-05

Michele M. Pogrotsky
Director of Accounting / Membership

AFFIDAVIT OF KATE E. MORIARTY

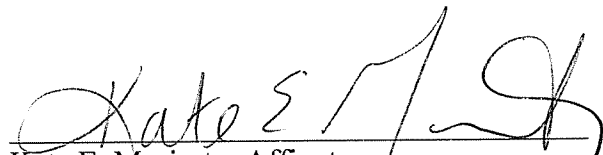
State of Ohio)
) SS:
County of Hamilton)

Comes now Kate E. Moriarty, Assistant General Counsel, employed by Cinergy Services, Inc., an affiliate of The Union Light, Heat and Power Company, and does hereby attest as follows:

(1) I was admitted to the bar of the state of Ohio in 1996, Registration No. 0067274, am a member in good standing with the bar of that state, and have never been suspended, disbarred or resigned as a result of disciplinary charge, investigation, or proceeding from the practice of law in any jurisdiction. No disciplinary proceedings have ever been filed against me, nor are any presently pending against me in any jurisdiction.

(2) I agree to be subject to the rules of the Commission and the Kentucky Bar Association in connection with the proceedings before the Public Service Commission in Case No. 2005-00228.

(3) I have complied with Supreme Court Rule 3.030(2), and hereby attach a copy of the Kentucky Bar Association Out-Of-State Certification provided to me.



Kate E. Moriarty, Affiant

Sworn and subscribed before me by Kate E. Moriarty on this 24th day of JUNE 2005.



ANITA M. SCHAFER
Notary Public, State of Ohio
My Commission Expires
November 4, 2009



Notary Public

My Commission Expires: