

S T O L L | K E E N O N | & | P A R K | L L P

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ROBERT M. WATT III  
859-231-3043  
watt@skp.com

July 11, 2005

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PUBLIC SERVICE  
COMMISSION

**VIA HAND-DELIVERY**

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 Kodwo Ghartey-Tagoe to represent The Union Light, Heat and Power Company, The Cincinnati Gas & Electric Company and Cinergy Corp., which are being submitted to you for filing in the above-referenced case.

If you have any questions, please feel free to contact me at (859) 231-3043.

Sincerely,

*Robert M. Watt III by LWI*

Robert M. Watt, III

Enclosures

cc: Hon. Dennis Howard (w/encls.)  
Hon. Elizabeth E. Blackford (w/encls.)

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**COMMONWEALTH OF KENTUCKY**  
**BEFORE THE PUBLIC SERVICE COMMISSION**

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PUBLIC SERVICE  
COMMISSION

In the Matter of:

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

**MOTION FOR ADMISSION *PRO HAC VICE***

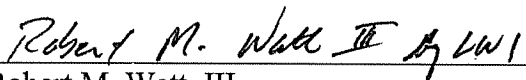
Robert M. Watt, III, an attorney licensed to practice in the Commonwealth of Kentucky, hereby moves the Commission to admit Kodwo Ghartey-Tagoe to practice law before the Commission *pro hac vice*, on behalf of Duke Energy Corp., Duke Energy Holding Corp., Deer Acquisition Corp., and Cougar Acquisition Corp., in the above-captioned proceeding.

Kodwo Ghartey-Tagoe is employed by Duke Energy Corp and is Vice President & General Counsel, Duke Power, a division of Duke Energy Corporation. His business address is P.O. Box 1244, Mail code: PB05E, Charlotte, NC 28201. Further, Kodwo Ghartey-Tagoe, having been admitted in 1991, is a member in good standing with the bars of the states of North Carolina and South Carolina, Membership Nos. 17913 and 062851 respectively, 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 Kodwo Ghartey-Tagoe, nor is any presently pending against her in any jurisdiction. In connection with this proceeding, Kodwo Ghartey-Tagoe agrees to be subject to the rules of the Commission and the Kentucky Bar Association. An affidavit executed by Kodwo Ghartey-Tagoe attesting to these facts is attached hereto.

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

WHEREFORE, Duke Energy Corporation, Duke Energy Holding Corp., Deer Acquisition Corp. and Cougar Acquisition Corp., through counsel, specifically requests the Commission to grant this motion to allow Kodwo Ghartey-Tagoe to appear and practice before it in the above-entitled matter *pro hac vice*.

Respectfully submitted,

  
Robert M. Watt, III  
Stoll Keenon & Park LLP  
300 West Vine St., Suite 2100  
Lexington, KY 40507-1801  
(859) 231-3000  
Fax (859) 253-1093  
watt@skp.com

**CERTIFICATE OF SERVICE**

I hereby certify that I have on this 11<sup>th</sup> 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.

  
Robert M. Watt, III

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](mailto:Betsy.blackford@law.state.ky.us)

**AFFIDAVIT OF KODWO GHARTEY-TAGOE**

State of North Carolina                    )  
  )     SS:  
County of Mecklenburg                    )

Comes now Kodwo Gharthey-Tagoe, employed by Duke Energy Corporation, and does hereby attest as follows:

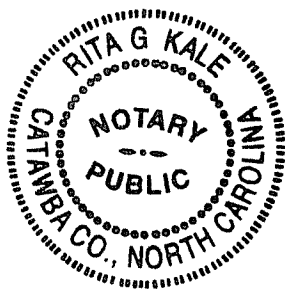
(1) I was admitted to the bar of the state of North Carolina in 1988, Membership No. 15876, am a member in good standing with the bar of that state, and have never been suspended, disbarred or resigned as a result of disciplinary charge, investigation, or proceeding from the practice of law in any jurisdiction. 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.

  
\_\_\_\_\_

Sworn and subscribed before me by Kodwo Gharthey-Tagoe on this 5th day of July 2005.



  
\_\_\_\_\_

Notary Public: Rita G Kale

My Commission Expires: 6/17/07

# 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

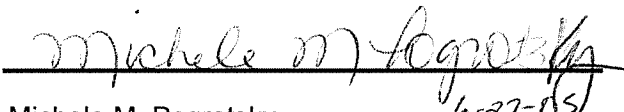
COURT KY Public Service Commission

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 Kodwo Ghartey-Tagoe has paid the per case fee of \$100.00 in the above referenced case as required in SCR 3.030(2).

  
Michele M. Pogrotsky  
Director of Accounting / Membership  
6-27-05