



139 East Fourth Street, Room 2500 AT II
P.O. Box 960
Cincinnati, Ohio 45201-0960
Tel. 513-419-1847
Fax 513-419-1846
anita.schafer@duke-energy.com

Anita M. Schafer
Sr. Paralegal

VIA OVERNIGHT DELIVERY

May 2, 2008

Ms. Stephanie Stumbo
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, Kentucky 40602-0615

RECEIVED

MAY 05 2008

PUBLIC SERVICE
COMMISSION

Re: Case No. 2008-00122

Dear Ms. Stumbo:

Enclosed please find an original and twelve copies of the Motion to Admit Rocco O. D'Ascenzo Pro Hac Vice of Duke Energy Kentucky in the above captioned case.

Please date-stamp the extra two copies and return to me in the enclosed envelope.

Sincerely,

Anita M. Schafer
Senior Paralegal

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

MAY 05 2008

PUBLIC SERVICE
COMMISSION

In The Matter Of the Application of Duke)
Energy Kentucky, Inc., for Deviation from)
Affiliate Pricing Requirements and Approval of) Case No. 2008-00122
An Intercompany Asset Transfer Agreement)

MOTION TO ADMIT ROCCO O. D'ASCENZO PRO HAC VICE

Michael J. Pahutski, an attorney licensed to practice in the Commonwealth of Kentucky, hereby moves the Commission to admit Rocco O. D'Ascenzo to practice law before the Commission *pro hac vice*, on behalf of Duke Energy Kentucky, Inc. ("Duke Energy Kentucky"), in the above-captioned proceeding.

Rocco O. D'Ascenzo is Regulatory Counsel, employed by Duke Energy Shared Services, Inc., a subsidiary of Duke Energy Corporation. Applicant's business address is 139 East Fourth Street, Cincinnati, Ohio 45201. Further, Rocco O. D'Ascenzo having been admitted in 2004, is a member in good standing with the bar of the state of Ohio, Registration No. 0077651, 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 Rocco O. D'Ascenzo nor is any presently pending against him in any jurisdiction. In connection with this proceeding, Rocco O. D'Ascenzo agrees to be subject to the rules of the Commission and the Kentucky Bar Association. An affidavit executed by Rocco O. D'Ascenzo attesting to these facts is attached hereto.

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

WHEREFORE, Duke Energy Kentucky, through counsel, specifically requests the Commission to grant its motion to allow Rocco O. D'Ascenzo to appear and practice before it in the above-entitled matter *pro hac vice*.

Its Attorney:

A handwritten signature in black ink that reads "Michael Pahutski". The signature is written in a cursive style and is positioned above a horizontal line.

Michael J. Pahutski (88630)
Assistant General Counsel
Duke Energy Kentucky, Inc.
139 East Fourth Street
P.O. Box 960
Cincinnati, Ohio 45201-0960
Phone: (513)419-1803
Fax: (513)419-1846
Email: Michael.pahutski@duke-energy.com

AFFIDAVIT OF ROCCO O. D'ASCENZO, JR.

State of Ohio)
)
County of Hamilton)

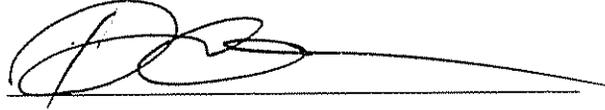
Comes now Rocco O. D'Ascenzo, Jr., employed by Duke Energy Shared Services, Inc., and does hereby attest as follows:

(1) I submit this Affidavit to the Kentucky Public Service Commission in connection with my request to be admitted to practice Pro Hac Vice before the Commission in Case No. 2008-00122.

(2) I was admitted to the bar of the State of Ohio in 2004, Registration No. 0077651, 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.

(3) 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. 2008-00122. In accordance with Supreme Court Rule 3.030(2), I agree to have a member of the Kentucky Bar Association present with me as co-counsel during the hearing in Case No. 2008-00122 and at all other times required by the Commission.

(4) 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 by the Kentucky Bar Association to me for this proceeding.



Sworn and subscribed before me by Rocco O. D'Ascenzo on this 2nd day of MAY 2008.



Notary Public

My Commission Expires:



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

KENTUCKY BAR ASSOCIATION

514 WEST MAIN STREET
FRANKFORT, KENTUCKY 40601-1812
(502) 564-3795
FAX (502) 564-3225

OFFICERS

Jane Winkler Dyche
President

Barbara D. Bonar
President-Elect

Charles E. English, Jr.
Vice President

Robert C. Ewald
Past President

YOUNG LAWYERS

Ryan C. Reed
Chair

EXECUTIVE DIRECTOR

James L. Deckard



BOARD OF GOVERNORS

Douglass Farnsley
Fred E. Fugazzi, Jr.
Margo L. Grubbs
James D. Harris, Jr.
Richard W. Hay
R. Scott Madden
Douglas L. McSwain
W. Douglas Myers
Michael J. O'Connell
John M. Rosenberg
Thomas L. Rouse
R. Michael Sullivan
Mark C. Whitlow
William H. Wilhoit

KENTUCKY BAR ASSOCIATION OUT-OF-STATE CERTIFICATION FORM

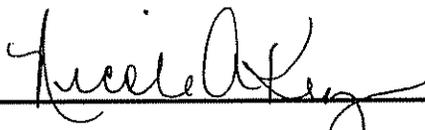
COURT Kentucky Public Service Commission

CASE NO. 2008-00122

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 Rocco O. D'Ascenzo, Jr. has paid the per case fee of \$100.00 in the above referenced case as required in SCR 3.030(2).



Nicole A. Key, Deputy Registrar