



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](mailto:anita.schafer@duke-energy.com)

**RECEIVED**

SEP 18 2008

PUBLIC SERVICE  
COMMISSION

Anita M. Schafer  
Sr. Paralegal

**VIA OVERNIGHT DELIVERY**

September 17, 2008

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

Re: Case No. 2008-00287

Dear Ms. Stumbo:

Enclosed please find an original and twelve copies each 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

cc: Jason P. Renzelmann

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In The Matter Of An Examination of the )  
Application of the Fuel Adjustment Clause of )  
Duke Energy Kentucky from November 1, 2007 ) Case No. 2008-00287  
Through April 20, 2008 )

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

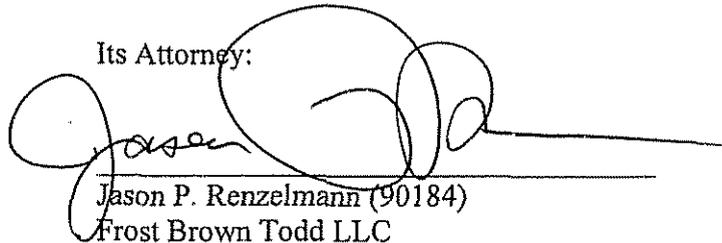
Jason P. Renzelmann, an attorney licensed to practice in the Commonwealth of Kentucky, hereby moves the Commission to admit Rocco O. D'Ascenzo to practice law before the Commission *pro hac vice*, on behalf of Duke Energy Kentucky, Inc. ("Duke Energy Kentucky"), in the above-captioned proceeding.

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, appearing to read "Jason", is written over a horizontal line. The signature is stylized and somewhat cursive.

Jason P. Renzelmann (90184)

Frost Brown Todd LLC

400 W. Market Street 32nd Floor

Louisville, Kentucky 40202

Telephone: (502)779-8185

Fax: (502)581-1087

Email: [jrenzelmann@fbtlaw.com](mailto:jrenzelmann@fbtlaw.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 Business 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. 2008-00287.

(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. 2008-00287. 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. 2008-00287 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 12th day of SEPTEMBER 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  
[www.kybar.org](http://www.kybar.org)



## OFFICERS

Barbara D. Bonar  
President

Charles E. English, Jr.  
President-Elect

Bruce K. Davis  
Vice President

Jane Winkler Dyche  
Past President

## YOUNG LAWYERS

Scott D. Laufenberg  
Chair

## EXECUTIVE DIRECTOR

James I. Deckard

## BOARD OF GOVERNORS

Douglas C. Ballantine

Anita M. Britton

Douglass Farnsley

Jonathan Freed

Fred E. Fugazzi, Jr.

James D. Harris, Jr.

Richard W. Hay

David V. Kramer

W. Douglas Myers

Thomas L. Rouse

Bobby Rowe

R. Michael Sullivan

Daniel J. Venters

William H. Wilhoit

## KENTUCKY BAR ASSOCIATION OUT-OF-STATE CERTIFICATION FORM

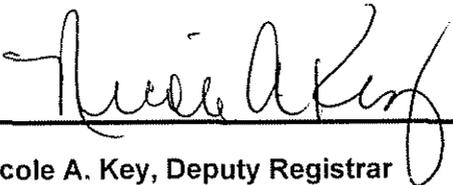
COURT Kentucky Public Service Commission

CASE NO. 2008-00287

### 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