

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF DUKE ENERGY KENTUCKY,)	
INC. FOR APPROVAL OF ENERGY)	CASE NO.
EFFICIENCY PLAN, INCLUDING AN ENERGY)	2008-00495
EFFICIENCY RIDER AND PORTFOLIO OF)	
ENERGY EFFICIENCY PROGRAMS)	

O R D E R

On October 8, 2009, the Commission scheduled this matter for hearing on December 15, 2009 at 10:00 a.m. On October 9, 2009, The Kroger Co. ("Kroger") moved the Commission to reschedule the hearing, stating that its expert witness was unavailable to testify on December 15, 2009. It proposed several alternative dates for the Commission's consideration. Subsequently, however, Duke Energy Kentucky, Inc. ("Duke Kentucky") filed a response to Kroger's motion stating that its counsel, as well as several of its witnesses, are committed to a rate case hearing in South Carolina and that, as a result, the alternative dates proposed by Kroger would present a conflict. An informal telephonic conference was held on October 30, 2009 to discuss possible dates for the hearing. Having considered the motions and being otherwise sufficiently advised, the Commission HEREBY ORDERS that:

1. The hearing scheduled on December 15, 2009 in this matter is cancelled.
2. A hearing in this matter shall be held on February 4, 2010 at 10:00 a.m., Eastern Standard Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky.

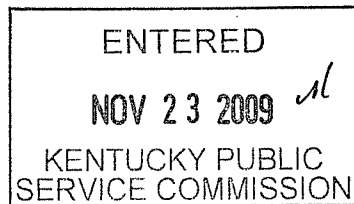
3. Duke Kentucky shall publish notice of this hearing in compliance with 807 KAR 5:011, Section 8(5).

4. The official record of these proceedings shall be by court reporter.

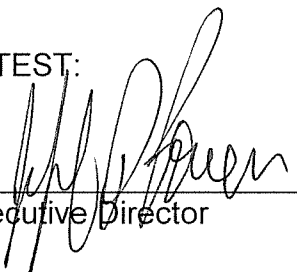
5. Any request to cancel or postpone this hearing shall be made by motion filed with the Commission at least one week before the hearing is scheduled to commence.

6. The date for the filing of simultaneous briefs, if any, shall be established at the formal public hearing.

By the Commission



ATTEST:



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