

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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

ORDER

On January 27, 2010, Duke Energy Kentucky, Inc. ("Duke Kentucky") filed a motion requesting that the Commission dismiss this case from its docket without prejudice. In support of its motion, Duke Kentucky states that, since the filing of its application herein in 2008, its affiliates operating in other states have received regulatory approval to implement new pilot energy efficiency programs through approved save-a-watt models. It requests that it be allowed to withdraw its application, which includes a save-a-watt model based on 2008 data, so that it may consider new energy efficiency programs based on its affiliates' experiences with their new programs in other states.

Having reviewed the motion and being otherwise sufficiently advised, the Commission finds that Duke Kentucky's motion is reasonable and should be granted.

IT IS THEREFORE ORDERED that:

1. Duke Kentucky's motion to dismiss is granted.
2. This case is dismissed without prejudice and removed from the Commission's docket.

By the Commission

ENTERED *zw*
JAN 29 2010
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:

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Executive Director

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