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Dianne B. Kuhnell.
Senior Paralegal

VIA FACSIMILE AND OVERNIGHT DELIVERY

August 24, 2009

Mr. Jeff Derouen
Executive Director
Kentucky Public Service Commission
211 Sower Blvd
Frankfort, KY 40601

RECEIVED

AUG 25 2009

PUBLIC SERVICE
COMMISSION

Re: Case No. 2009-00333

Dear Mr. Derouen:

Enclosed please find being sent by overnight mail an original and twelve copies each of the *Answer of Duke Energy Kentucky Inc.* to be filed in the above captioned case.

Please note that the Answer was also sent via facsimile to be file-stamped August 24, 2009.

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

Sincerely,

Dianne B. Kuhnell
Senior Paralegal

cc: Parties of Record

BEFORE THE PUBLIC SERVICE COMMISSION

In the matter of:)	
)	
TERESA LYN CUNNINGHAM)	Case No. 2009-00333
4590 Burlington Pike)	
Burlington, KY 41005)	
)	
Complainant)	
)	
v.)	
)	
Duke Energy Kentucky, Inc.)	
P.O. Box 960)	
139 East Fourth Street)	
Rm 2500 AT II)	
Cincinnati, OH 45201)	

ANSWER OF DUKE ENERGY KENTUCKY, INC.

Duke Energy Kentucky, Inc. (Duke Energy Kentucky) for its answer to the complaint in the proceeding, respectfully states:

FIRST DEFENSE

1. Duke Energy denies the allegation contained in the Complaint of Teresa Lyn Cunningham (Complainant), "Duke Energy Kentucky kept sending estimated bills" as Duke Energy Kentucky cannot ascertain the time frame referenced in the allegation. Duke Energy Kentucky does admit that Complainant received estimated bills between November 2008 and May 2009. However, her bill for the period ending October 2008 was based upon an actual reading. Moreover, Complainant's bills since May 8, 2009 have been based upon actual consumption readings.
2. Duke Energy Kentucky denies that Complainant is entitled to a review of billing statements for the last ten years. On or about June 12, 2008, Complainant received a new

electric meter after a repair was made to a malfunctioning automated meter reading (AMR) device. Complainant's electric consumption was based upon actual monthly meter readings in July 2008, August 2008, September 2008, and October 2008.

3. Duke Energy Kentucky denies the remainder of the allegations contained in the Complaint.

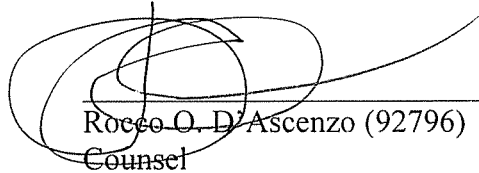
AFFIRMATIVE DEFENSES

1. The Complaint fails to state a cause of action upon which relief can be granted.
2. At all relevant times, Duke Energy Kentucky has billed Complainant in accordance with rules and regulations of the Kentucky Public Service Commission, Duke Energy Kentucky' filed tariffs, and Kentucky law, including but not limited Kentucky Revised Statutes (KRS) 278.160(2).
3. Duke Energy Kentucky has the right and authority under Kentucky law to bill Complainant for actual and metered electric service consumption.
4. Duke Energy Kentucky respectfully reserves the right to plead any and all additional defenses that discovery may reveal.

WHEREFORE, Duke Energy Kentucky asks that the complaint be dismissed and that the Commission award Duke Energy Kentucky any and all other relief which it may appear entitled.

Respectfully submitted,

DUKE ENERGY KENTUCKY, INC.



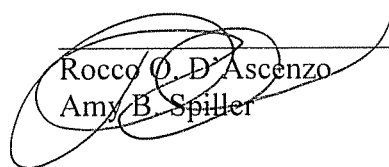
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CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing Answer has been served via
overnight mail to the following party on this 24th day of August 2009:

TERESA LYN CUNNINGHAM
4590 Burlington Pike
Burlington, KY 41005



Rocco O. D'Ascenzo
Amy B. Spiller