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RECEIVED

APR 21 2011

PUBLIC SERVICE
COMMISSION

April 20, 2011

VIA UPS NEXT DAY AIR SAVER

Mr. Jeff Derouen
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, Kentucky 40602-0615

Re: Case No. 2011-00124

Dear Mr. Derouen:

Enclosed for filing in the above-captioned matter with the Commission is Stand Energy Corporation's Original Motion To Intervene and Supporting Memorandum totaling four (4) pages and 10 copies for filing.

Please return the additional enclosed copy of this Motion and Memorandum stamped as "Filed" in the enclosed self-addressed stamped return envelope.

Thank you for your prompt attention to this filing. If you have any questions you may contact me at (513) 621-1113.

Sincerely,

John M. Dosker
General Counsel

Encls.

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

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APR 21 2011

In The Matter of:

PUBLIC SERVICE
COMMISSION

THE JOINT APPLICATION OF DUKE ENERGY)
CORPORATION; CINERGY CORP; DUKE)
ENERGY OHIO, INC; DUKE ENERGY)
KENTUCKY, INC.; DIAMOND ACQUISITION) Case No. 2011-00124
CORPORATION; AND PROGRESS ENERGY)
INC., FOR APPROVAL OF THE INDIRECT)
TRANSFER OF CONTROL OF DUKE ENERGY)
KENTUCKY, INC.)

**STAND ENERGY CORPORATION'S MOTION TO INTERVENE
AND SUPPORTING MEMORANDUM**

Comes Stand Energy Corporation ("Stand Energy"), by and through the undersigned counsel and moves for full intervenor status pursuant to KRS 278.310 and 807 KAR 5:001 §3(8). Stand Energy has differing commercial goals and direction than Duke Energy Kentucky, Inc. or the Kentucky Attorney General or any other party that may join the above-captioned case as an intervenor. Therefore, no other participant can adequately represent or protect the interests of Stand Energy Corporation. Stand Energy's participation will lead to the presentation of relevant facts and issues that will assist the Kentucky Public Service Commission in the search for the truth and it's consideration of the matters raised in the application without unduly complicating, disrupting or delaying the proceedings. In support of the foregoing motion, Stand Energy states as follows:

1. Stand Energy is a private gas marketer and Kentucky corporation with its offices located at 1077 Celestial Street, Rookwood Building 3, Suite 110, Cincinnati, Ohio 45202-1629. Stand Energy has unique facts, experience and knowledge to contribute in this case that are not possessed by any other party.

2. Stand Energy is engaged in the marketing of natural gas to a unique blend of public and private customers in over 12 states (including Kentucky), with experience delivering natural gas behind more than 30 local distribution companies (including, but not limited to Duke Energy Kentucky, Inc. and Duke Energy Ohio, Inc.). Stand Energy has absolutely no connection to any regulated utility in any state.

3. Stand Energy has held a valid wholesale electric power marketing license issued by the Federal Energy Regulatory Commission (FERC) since 1995 (Docket No. ER95-362-000). Stand Energy Corporation has had a FERC-approved electric tariff on file also since 1995. Stand Energy has expertise and experience in operational, regulatory and legal electric issues at both the state (retail) and federal (wholesale) levels.

4. The undersigned General Counsel is licensed to practice law in Kentucky and is a former member of Executive Committee of the North American Energy Standards Board (NAESB), Gas Supplier Segment. The undersigned counsel is responsible for all state and federal natural gas and electricity matters of Stand Energy Corporation. Stand Energy, the company, has over twenty-five (25) years of experience in state and federal regulatory proceedings involving natural gas and electricity issues.


5. Stand Energy Corporation and its customers behind Duke Energy Kentucky are concerned because the merger application indicates the utility is planning to file for rate increases with the Kentucky PSC, for both electric and natural gas customers within months.

Considering the fact that merger requests usually must show savings to the ratepayers to gain approval of regulators - that requirement would appear contradicted by the application herein.

6. Attached hereto and incorporated herein as Stand Energy Corporation Exhibit 1 is a page print from the Ohio Secretary of State's website as evidence that Duke Energy formed an unregulated subsidiary in Ohio in June of 2010 named "*Duke Energy Retail Sales, LLC*" (hereinafter referred to by the Ohio registered trade name "Duke Energy Retail" See, Stand Energy Corporation Exhibit 2, attached hereto and incorporated herein as if fully set forth. Duke Energy Retail is presently selling natural gas in Ohio in the Duke Energy Ohio regulated service territory and other Ohio LDC territories. Duke Energy Retail is a paid sponsor of the 2011 Cincinnati Reds. If Duke Energy Retail, an unregulated subsidiary, is to be allowed to sell natural gas in Kentucky, Duke Energy the utility should be required to propose a gas program during this Merger case that actually benefits Kentuckians and not just Duke Energy. Further, Duke Energy must prevent Duke Energy Retail from being subsidized in any way by Duke Energy or with or by Duke Energy assets - paid for by Duke Energy ratepayers. There should be no shared marketing services between the two companies, no shared transportation assets and no use of Duke Energy's gas storage fields by Duke Energy Retail and other reasonable restrictions as may be imposed by the Kentucky Public Service Commission.

7. WHEREFORE, Stand Energy Corporation respectfully requests that the Commission grant it full Intervenor status.

Respectfully Submitted,



JOHN M. DOSKER (KBA #82089)
GENERAL COUNSEL
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Cincinnati, Ohio 45202-1629
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jdosker@standenergy.com

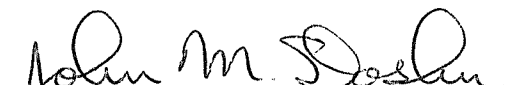
CERTIFICATE OF SERVICE

I hereby certify that the foregoing was sent by ordinary U.S. Mail, first class postage prepaid, this 15th day of April 2011, to the following parties of record:

Dennis Howard, II, Esq.
Lawrence W. Cook, Esq.
1024 Capital Center Drive, Suite 200
Frankfort, Kentucky 40601-8204
Assistant Attorneys General
Utility & Rate Intervention Division

Rocco D. Ascenzo
Amy B. Spiller
Duke Energy Kentucky, Inc.
P.O. Box 960
Cincinnati, Ohio 45201

Mark David Goss
David S. Samford
Frost Brown Todd, LLC
250 West Main Street 2800
Lexington, Kentucky 40507-1749



JOHN M. DOSKER

Stand Energy Corporation
Exhibit 1

JON HUSTED
Ohio Secretary of State

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Business Name
Business Name - Exact
Number Search
Agent/Contact Name
Prior Business Name
Church Name

Corporation Details

Corporation Details		
Entity Number	1435831	
Business Name	DUKE ENERGY RETAIL SALES, LLC	
Filing Type	FOREIGN LIMITED LIABILITY COMPANY	
Status	Active	
Original Filing Date	01/28/2004	
Expiry Date		
Location:	County:	State: DELAWARE
Agent / Registrant Information		
CT CORPORATION SYSTEM 1300 EAST 9TH STREET CLEVELAND, OH 44114 Effective Date: 01/28/2004 Contact Status: Active		
Filings		
Filing Type	Date of Filing	Document Number/Image
REGISTRATION OF FOREIGN LIMITED LIABILITY CO	01/28/2004	200402801378
CORRECT REGISTRATION/FOREIGN LIMITED LIABILITY CO	04/14/2006	200610701574
TRADE NAME/O ORIGINAL FILING	06/07/2010	201016000065
Old Names		
Effective Date	Old Name	
04/14/2006	CINERGY RETAIL SALES, LLC	

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Ohio Secretary of State

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Business Name
Business Name - Exact
Number Search
Agent/Contact Name
Prior Business Name
Church Name

Corporation Details

Corporation Details		
Entity Number	1941899	
Business Name	DUKE ENERGY RETAIL	
Filing Type	REGISTERED TRADE NAME	
Status	Active	
Original Filing Date	06/07/2010	
Expiry Date	06/07/2015	
Location:	County:	State:
Agent / Registrant Information		
DUKE ENERGY RETAIL SALES, LLC 139 EAST FOURTH STREET CINCINNATI, OH 45202 Effective Date: 06/07/2010 Contact Status: Active		
Filings		
Filing Type	Date of Filing	Document Number/Image
TRADE NAME/O ORIGINAL FILING	06/07/2010	201016000065

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