

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF DUKE ENERGY)	
KENTUCKY, INC. FOR AN ADJUSTMENT TO)	CASE NO.
RIDER NM II RATES AND FOR TARIFF)	2025-00258
APPROVAL)	

ORDER

On June 19, 2026 Duke Energy Kentucky, Inc. (Duke Kentucky) filed a motion, pursuant to KRS 278.400, requesting rehearing and clarification on the meaning of the phrase “actual distributed solar contribution” and the related data Duke Kentucky is required to collect and file pursuant to the Commission’s directives in the final Order entered in this proceeding on June 1, 2026.¹ There are no intervenors in this proceeding. This matter now stands submitted for a decision.

LEGAL STANDARD

KRS 278.400, which establishes the standard of review for motions for rehearing, limits rehearing to new evidence not readily discoverable at the time of the original hearings, to correct any material errors or omissions, or to correct findings that are unreasonable or unlawful. A Commission Order is deemed unreasonable only when “the evidence presented leaves no room for difference of opinion among reasonable minds.”² An Order can only be unlawful if it violates a state or federal statute or constitutional

¹ Duke Kentucky’s Motion for Rehearing (filed June 19, 2026).

² *Energy Regulatory Comm’n v. Kentucky Power Co.*, 605 S.W.2d 46 (Ky. App. 1980).

provision.³ By limiting rehearing to correct material errors or omissions, and findings that are unreasonable or unlawful, or to weigh new evidence not readily discoverable at the time of the original hearings, KRS 278.400 is intended to provide closure to Commission proceedings. Rehearing does not present parties with the opportunity to relitigate a matter fully addressed in the original Order.

DUKE KENTUCKY'S MOTION FOR REHEARING

Duke Kentucky requested rehearing and clarification with respect to the recalculation of certain components of the proposed rate and the requirement to file the workpapers for those calculations in post-case correspondence, as described in the Commission's June 1, 2026 Order.⁴ Additionally, Duke Kentucky requested clarification of the Commission's instruction requiring Duke Kentucky to file an application to update its Rider Net Metering II Tariff Sheet No. 84 (Rider NM II) tariff and rates in accordance with the methodologies described in the Order to coincide with Duke Kentucky's cogeneration and small power production sale and purchase tariff sheets starting in 2028 and every two years thereafter.⁵

DISCUSSION AND FINDINGS

In its June 1, 2026 Order, the Commission ordered:

Duke Kentucky to bring forward data in future filings that show the actual distributed solar contribution to transmission system peak varies from the contribution calculated using PV

³ *Public Service Comm'n v. Conway*, 324 S.W.3d 373, 377 (Ky. 2010); *Public Service Comm'n v. Jackson County Rural Elec. Coop. Corp.*, 50 S.W.3d 764, 766 (Ky. App. 2000); *National Southwire Aluminum Co. v. Big Rivers Elec. Corp.*, 785 S.W.2d 503, 509 (Ky. App. 1990).

⁴ Duke Kentucky's Motion for Rehearing.

⁵ Duke Kentucky's Motion for Rehearing at 3.

Watts data, as this information may inform future adjustments to the avoided transmission capacity rate.⁶

The June 1, 2026 Order went on to find that

In future filings, Duke Kentucky should bring forward data that shows how the actual distributed solar contribution to distribution system peak varies from the contribution calculated from PV Watts data and utilize the data to inform its future filings related to avoided distribution costs.⁷

Duke Kentucky requested clarification that the company, in its future filings, should only report data of actual utility-metered output to the grid, also known as excess generation, and not data of the total solar generation that is output behind the meter by the customer's facilities.⁸ In seeking this clarification, Duke Kentucky stated that data of the total solar generation that is output behind the meter is not measured by or available to the company.⁹

Having considered the record and being otherwise sufficiently advised, the Commission finds that Duke Kentucky's rehearing application should be granted. The Commission finds that Duke Kentucky, according to their Motion, does not have the ability to collect the requested solar generation data. Therefore, Duke Kentucky should collect and be prepared to provide the net output from the customers meters that flows onto the grid during times when the solar facility is generating more than the customer is consuming. If possible, the Commission encourages Duke Kentucky to track this information on an interval basis and have it available for future filings. The Commission

⁶ Order (Ky. PSC June 1, 2026) at 21.

⁷ Order (Ky. PSC June 1, 2026) at 25.

⁸ Duke Kentucky's Motion for Rehearing at 4.

⁹ Duke Kentucky's Motion for Rehearing at 4.

notes that in the next Rider NM II case, the data collected will be reviewed by the Commission to determine if it is granular enough to help inform the avoided capacity value.

IT IS THEREFORE ORDERED that:


1. Duke Kentucky's motion for rehearing is granted.
2. The June 1, 2026 Order is amended to reflect the modifications discussed above.
3. Duke Kentucky shall collect and provide the net output from the customers meters that flows onto the grid during times when the solar facility is generating more than the customer is consuming.
4. All other provisions of the June 1, 2026 Order not in conflict with this Order shall remain in full force and effect.
5. This case is closed and removed from the Commission's docket.

Entered on this 7th day of July, 2026.


PUBLIC SERVICE COMMISSION



Angie Hatton
Chair



Mary Pat Regan
Vice Chair



Andrew W. Wood
Commissioner

 *by AH w/ permission*

Barry L. Mayfield
Commissioner

ATTEST:



Linda C. Bridwell, PE
Executive Director



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