DOC11R  Case Management System - KY Public Service Commission

Regular Cases Before the Commission as of July 13, 2020

2019-00271  RECEIVED: 09/03/19  FILED: 09/03/19  FINAL: 04/27/20  REOPENED: 05/18/20
SUSPENSION DATE: 04/02/20

CASE CODE
General Rates
Tariffs
Accounting Deferral

UTILITIES:
Duke Energy Kentucky, Inc.

HEARINGS:
02/20/20  Formal Hearing
02/19/20  Formal Hearing
02/13/20  Public Meeting

INDEX OF EVENTS:

07/06/20  Minna Sunderman Rocco DAscenzo Duke Energy Kentucky, Inc.s Responses to the Attorney
Generals Initial Requests for Information on Rehearing
07/06/20  Minna Sunderman Rocco DAscenzo Duke Energy Kentucky, Inc.s Responses to Staffs Initial Request
for Information on Rehearing

06/26/20  Order Entered: 1. The Commission shall further investigate the issues raised by Duke
Kentucky's September 18, 2019 petition for confidential treatment as described herein. 2. The filing
requirement of ordering paragraph 9 to the April 29, 2020 Order directing Duke
Kentucky to submit the unredacted response to Commission Staff's Initial Request for Information, Item
13, shall be continued until a determination has been made on the issues being investigated herein. 3.
All other provisions of the April 29, 2020 Order shall remain in full force and effect.

06/17/20  Commission Staff's Initial Request for Information on Rehearing to Duke Energy Kentucky, Inc.
06/17/20  J. Michael West Office of the Attorney General OAGs Initial Rehearing Data Requests
06/04/20  Order Entered: 1. Duke Kentuckys motion for rehearing is granted in part and denied in part as
discussed in the findings herein. 2. The procedural schedule set forth in the Appendix to this Order
shall be followed for the processing of this matter on rehearing. 3. The Final Order shall be amended to
the limited extent as set forth in the findings herein. 4. All other provisions of the Final Order shall
remain in full force and effect.

06/03/20  Deborah Gates Rocco O. DAsenzo Duke Energy Kentucky, Inc. submits Attachment RHM-5c
06/01/20  David Samford Duke Energy Kentucky, Inc. Reply in Support of Motion for Rehearing
05/26/20  J. Michael West Office of the Attorney General OAGs Response to Petition for Rehearing
05/21/20  City of Park Hills Public Comment
05/19/20  L. Allyson Honaker Duke Energy Kentucky, Inc. Supplemental Responses to AG Data Requests
05/18/20  David S. Samford Duke Energy Kentucky, Inc. Motion for Rehearing on Final Order
05/18/20  David S. Samford Duke Energy Kentucky, Inc. Motion for Rehearing on Confidentiality Order
05/04/20  Order Entered: 1. Duke Kentuckys March 10, 2020 petition for confidential protection is granted.
2. The designated materials shall not be placed in the public record or made available for public
inspection for 20 years, or until further Orders of this Commission. 3. Use of the designated materials
in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9). 4. Duke
Kentucky shall inform the Commission if the designated materials become publicly available or no
longer qualify for confidential treatment. 5. If a non-party to this proceeding requests to inspect
the designated materials granted confidential treatment by this Order and the period during which the
materials have been granted confidential treatment has not expired, Duke Kentucky shall have 30
days from receipt of written notice of the request to demonstrate that the materials still fall
within the exclusions from disclosure requirements established in KRS 61.878. If Duke Kentucky is
unable to make such demonstration, the requested materials shall be made available for inspection.
Otherwise, the Commission shall deny the request for inspection. 6. The Commission shall not make
the designated materials available for inspection for 30 days following an Order finding that the
materials no longer qualify for confidential treatment in order to allow Duke Kentucky to seek a remedy
afforded by law.

05/04/20  Order Entered: 1. Duke Kentuckys October 28, 2019 petition for confidential protection is
granted. 2. Except for the responses to the Attorney General's First Request, Response Nos. 40, 46,
47, 48, and 74, the designated materials shall not be placed in the public record or made available for
public inspection for 20 years, or until further Orders of this Commission. Duke Kentucky shall
supplement the responses to the Attorney General’s First Request, Request Nos. 40, 46, 47, 48, and
74 with a non-confidential filing once its earnings have been publicly reported. 3. Use of the
designated materials in any Commission proceeding shall be in compliance with 807 KAR 5:001,
Section 13(9). 4. Duke Kentucky shall inform the Commission if the designated materials become
publicly available or no longer qualify for confidential treatment. 5. If a non-party to this proceeding
requests to inspect the designated materials granted confidential treatment by this Order and the
period during which the materials have been granted confidential treatment has not expired, Duke
Kentucky shall have 30 days from receipt of written notice of the request to demonstrate that
the materials still fall within the exclusions from disclosure requirements established in KRS 61.878.

05/04/20
Order Entered: 1. Duke Kentucky's January 15, 2020 petition for confidential protection is granted
in part and denied in part. 2. Duke Kentucky petition for confidential treatment for the attachments to
Tab 35 of Duke Kentucky's Financial Reporting Summaries monthly managerial reports, in relation to
taking requirements pursuant to 807 KAR 5:001, Section 16(7)(o), and attachments to the Direct
Testimony of Renee H. Metzler, RHM-5(a) and (b), consisting of Duke Kentucky's 2019 Short-Term
Incentive Plan and Union Employee Incentive Plans and 2019 Restricted Stock Award Plan, is granted.
3. Duke Kentucky's petition for confidential treatment for attachment RHM-5(c), consisting of the
2019 Executive Long-Term Incentive Plan, is denied. 4. The designated materials in the attachments to
Tab 35 of Duke Kentucky's Financial Reporting Summaries monthly managerial reports and RHM-5(a)
and (b) shall not be placed in the public record or made available for public inspection for 20 years, or
until further Orders of this Commission. 5. The designated materials in RHM-5(c) are not exempt from
public disclosure and shall be placed in the public record or made available for public inspection.

04/29/20
Order Entered: 1. Duke Kentucky's petition for confidential treatment for its responses to Staff's
First Request for Information, Request Nos. 6, 18, 30, 41, and 49, is granted. 2. Duke Kentucky's
petition for confidential treatment for its responses to Staff's First Request for Information, Request
Nos. 13, 43, 45, and 46, as they pertain to executive officers and lobbyists is denied. 3. The
designated materials in Duke Kentucky's responses to Staff's First Request for Information,
Request Nos. 6, 18, 30, 41, and 49, shall not be placed in the public record or made available for
public inspection for 20 years, or until further Orders of this Commission. 4. The designated materials
in Duke Kentucky's responses to Staff's First Request for Information, Request Nos. 13, 43, 45,
and 46, as they pertain to executive officers and lobbyists, are not exempt from public disclosure and
shall be placed in the public record or made available for public inspection. 5. If Duke Kentucky objects
to the Commission's determination that certain requested information not be granted confidential
treatment, it must seek either rehearing pursuant to KRS 278.400 or judicial review of this Order
pursuant to KRS 278.410. Failure to exercise either of these statutory rights will be deemed as
agreement with the Commission's determination of which materials should be granted confidential
treatment.

04/27/20
Final Order Entered: 1. The rates and charges proposed by Duke Kentucky are denied. 2. The rates
and charges, as set forth in Appendix E to this Order, are approved as fair, just, and
reasonable rates for Duke Kentucky, and these rates and charges are approved for service
rendered on and after the date of entry of this Order subject to Duke Kentucky's commitment to not
implement the approved rates no earlier than May 1, 2020. 3. Duke Kentucky's proposed depreciation
rates are denied. 4. Duke Kentucky request to amortize the November 2018 Ice Storm
regulatory asset over five years is approved. 5. Duke Kentucky proposal for a deferral mechanism
for storm restoration expense is denied. 6. Duke Kentucky's request to revise Rate LED as discussed
herein is denied
without prejudice. 7. Duke Kentucky's request to revise Rider PSM is denied. 8. Duke Kentucky's
request to implement tampering penalties of $200 for residential customers and $1,000 for non-residential customers is denied. 9. Duke Kentucky's request to move customers with particularly
dangerous or repeated instances of tampering to Rider AMO is approved as modified herein. 10. Duke
Kentucky's request for approval of the Revert to Owner program is denied without prejudice. 11. Duke
Kentucky's request to revise Rider FAC is denied.

03/31/20
Order Entered: 1. To the extent a final order in this matter is issued after the expiration of the
suspension period, the decision to place the proposed rates into effect shall be up to Duke Kentucky as
the Commission cannot defer or extend the suspension period, which is established by KRS
278.190(2). 2. To the extent a final order in this matter is issued after the expiration of the suspension
period, the final order will reflect Duke Kentucky’s commitment to not implement its proposed rates
prior to May 1, 2020, as indicated in Duke Kentucky’s March 16, 2020 notice.
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<tr>
<th>Date</th>
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<td>Justin M. McNeil Office of the Attorney General The Attorney Generals Notice of Withdrawal and Substitution of Counsel</td>
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<td>03/20/20</td>
<td>David S. Samford Duke Energy Kentucky, Inc. Reply Brief</td>
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<td>Justin M. McNeil Office of the Attorney General The Attorney Generals Post-Hearing Brief</td>
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<td>Commission Staff's Post-Hearing Request for Information to Duke Energy Kentucky, Inc.</td>
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<td>02/21/20</td>
<td>Order Entered: 1. Post-hearing data requests shall be filed in the record on or before February 26, 2020. 2. Responses to post-hearing data requests shall be filed in the record on or before March 6, 2020. 3. Simultaneous briefs shall be filed in the record on or before March 16, 2020. 4. Duke Energy Kentucky, Inc. shall file its reply briefs in the record on or before March 20, 2020. 5. This case shall stand submitted for decision by the Commission effective 12:01 a.m., Eastern Daylight Time, on March 21, 2020.</td>
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<td>02/18/20</td>
<td>Deborah Gates Rocco O. DAscenzo Duke Energy Kentucky, Inc. hereby submits a notice of filing or corrected attachments to the Rebuttal Testimony of Dr. Roger Morin</td>
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<td>02/17/20</td>
<td>Response E-mails to Multiple Comments</td>
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<td>02/14/20</td>
<td>Order Entered: The separate motions of Duke Kentucky and NKU to excuse their respective witness are granted.</td>
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<td>Minna Sunderman Rocco DAscenzo Duke Energy Kentucky, Inc.s Supplemental Responses to Staffs Request for Information</td>
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<td>01/31/20</td>
<td>Deborah Gates Rocco O. DAscenzo Rebuttal Testimonies of Duke Energy Kentucky, Inc. witnesses in Case 2019-00271</td>
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<td>01/30/20</td>
<td>Minna Sunderman Rocco DAscenzo Duke Energy Kentucky, Inc.s 4th Supplemental Response to Commission Staffs First Request for Information</td>
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Order Entered: 1. Duke Kentucky’s November 27, 2019 petition for confidential protection is granted. 2. The designated materials shall not be placed in the public record or made available for public inspection for 20 years, or until further Orders of this Commission. 3. Use of the designated materials in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9). 4. Duke Kentucky shall inform the Commission if the designated materials become publicly available or no longer qualify for confidential treatment. 5. If a non-party to this proceeding requests to inspect the designated materials granted confidential treatment by this Order and the period during which the materials have been granted confidential treatment has not expired, Duke Kentucky shall have 30 days from receipt of written notice of the request to demonstrate that the materials still fall within the exclusions from disclosure requirements established in KRS 61.878. If Duke Kentucky is unable to make such demonstration, the requested materials shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection. 6. The Commission shall not make the designated materials available for inspection for 30 days following an Order finding that the materials no longer qualify for confidential treatment in order to allow Duke Kentucky to seek a remedy afforded by law.

Justin M. McNeil Office of the Attorney General The Attorney Generals Responses to Dukes First Data Requests

Justin M. McNeil Office of the Attorney General The Attorney Generals Responses to First Data Requests from Commission Staff

Dennis G. Howard II Northern Kentucky University NKU’s Responses to Duke Energy Kentucky’s First Set of Interrogatories and Requests for Production of Documents

Dennis G. Howard II Northern Kentucky University NKU’s Responses to Commission Staff’s First Requests for Information

Ordered Entered: 1. A hearing in this matter shall be held on Wednesday, February 19, 2020, at 8:30 a.m. Eastern Standard Time, in the Richard Raff Hearing Room (Hearing Room 1) at the offices of the Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky. 2. Duke Energy Kentucky, Inc. (Duke Kentucky), shall give notice of the hearing in compliance with 807 KAR 5:001, Section 9(2)(b). In addition, the notice of hearing shall include the following statement: “This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov.” At the time the notice is mailed or publication is requested, Duke Kentucky shall forward a duplicate of the notice and request to the Commission. 3. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), a digital video transcript shall be made of the hearing.

Kurt J. Boehm The Kroger Co. Responses of The Kroger Co. to Duke Energy Kentuckys First Set of Interrogatories and Requests for Production of Documents

Deborah Gates Rocco O. DAAscenzo Duke Energy Kentucky, Inc. hereby submits its Base Period Update to Filing Requirements 807 KAR 5:001 Section 16(7)(o) and 807 KAR 5:001 Section 16-8(a) - (n)

Jill Fessler Request for Public Hearing Notification

Minna Sunderman Rocco DAAscenzo Duke Energy Kentucky, Inc.s Interrogatories and Requests for Production of Documents Propounded upon the Northern Kentucky University

Minna Sunderman Rocco DAAscenzo Duke Energy Kentucky, Inc.s Interrogatories and Requests for Production of Documents Propounded upon the Kroger Company

Minna Sunderman Rocco DAAscenzo Duke Energy Kentucky, Inc.s Interrogatories and Requests for Production of Documents Propounded upon the Attorney General

Minna Sunderman Rocco DAAscenzo Duke Energy Kentucky, Inc.s 3rd Supplemental Responses to Commission Staffs First Request for Information

Commission Staff’s First Request for Information to the Attorney General

Commission Staff’s First Request for Information to Northern Kentucky University

Commission Staff’s First Request for Information to Kroger Company

Mayor Heather Jansen Public Comment

Justin M. McNeil The Office of The Attorney General The Direct Testimony of AG Witnesses

Thomas M. Hancock ChargePoint, Inc. ChargePoint Comments- Cover Letter Read First

Dennis G. Howard II Northern Kentucky University Northern Kentucky University’s Direct Testimony

Kurt J. Boehm The Kroger Co. The Kroger Cos Direct Testimony and Exhibits of Justin Bieber

Deborah Gates Rocco O. DAAscenzo Corrected confidential documents to Commission Staffs Third Request for Information data request number 24.
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<td>Order Entered: Duke Kentucky's motion for leave to file a correction to Ms. Abernathy's direct testimony is granted.</td>
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<td>Deborah Gates Rocco O. DAAscenzo Duke Energy Kentucky, Inc. submits its Revised Response to Commission Staffs Second Request for Information data request number 85</td>
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<td>Deborah Gates Rocco O. DAAscenzo Part 2 of Excel Spread sheets in STAFF 2nd set</td>
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<td>Deborah Gates Rocco O. DAAscenzo Newspaper notices and affidavit attesting to the publications of Duke Energy Kentucky Inc.s request for approval of and adjustment of electric rates and charges.</td>
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<td>Kurt J. Boehm The Kroger Co. The Kroger Cos First Set of Data Requests to Duke Energy Kentucky, Inc.</td>
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<td>Dennis Howard, II Northern Kentucky University NKU’s Initial Requests for Information to DEK</td>
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10/14/19  Order Entered: ChargePoint's motion for intervention is denied.
10/14/19  Order Entered: 1. The motion of NKU to intervene is granted. 2. NKU shall be entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order. 3. NKU shall comply with all provisions of the Commission's regulations, 807 KAR 5:001, Section 8, related to the service and electronic filing of documents. 4. NKU shall adhere to the procedural schedule set forth in the Commission's September 13, 2019 Order and as amended by subsequent Orders. 5. Pursuant to 807 KAR 5:001, Section 8(9), within seven days of entry of this Order, NKU shall file a written statement with the Commission that: a. Certifies that it, or its agent, possesses the facilities to receive electronic transmissions; and b. Sets forth the electronic mail address to which all electronic notices and messages related to this proceeding should be served.
10/14/19  Order Entered: 1. The motion of the Attorney General to intervene is granted. 2. The Attorney General shall be entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order. 3. The Attorney General shall comply with all provisions of the Commission's regulations, 807 KAR 5:001, Section 8, related to the service and electronic filing of documents. 4. The Attorney General shall adhere to the procedural schedule set forth in the Commission's September 13, 2019 Order and as amended by subsequent Orders. 5. Pursuant to 807 KAR 5:001, Section 8(9), within seven days of entry of this Order, the Attorney General shall file a written statement with the Commission that: a. Certifies that it, or its agent, possesses the facilities to receive electronic transmissions; and b. Sets forth the electronic mail address to which all electronic notices and messages related to this proceeding should be served.
10/14/19  Order Entered: Greenlots' motion for intervention is denied.
10/11/19  Commission Staff's Second Request for Information to Duke Energy Kentucky, Inc.
10/07/19  Kurt J. Boehm The Kroger Co. Written Statement of The Kroger Co. in Response to Commissions Order of Procedure
10/03/19  Kent A Chandler Kentucky Office of the Attorney General Attorney Generals Motion to Intervene
10/03/19  M Todd Osterloh Greenlots Motion to Intervene by Greenlots
10/03/19  Deborah Gates Rocco O. DAscenzo Duke Energy Kentucky, Inc.s Motion For Leave to File a Correction to the Direct Testimony of Melissa B. Abernathy, Instanter
10/02/19  Thomas M. Hancock ChargePoint, Inc. PETITION FOR FULL INTERVENTION BY CHARGEPOINT, INC.
10/02/19  Order Entered: 1. The motion of Kroger to intervene is granted. 2. Kroger shall be entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order. 3. Kroger shall comply with all provisions of the Commission's regulations, 807 KAR 5:001, Section 8, related to the service and electronic filing of documents. 4. Kroger shall adhere to the procedural schedule set forth in the Commission's September 13, 2019 Order and as amended by subsequent Orders. 5. Pursuant to 807 KAR 5:001, Section 8(9), within seven days of entry of this Order, Kroger shall file a written statement with the Commission that: a. Certifies that it, or its agent, possesses the facilities to receive electronic transmissions; and b. Sets forth the electronic mail address to which all electronic notices and messages related to this proceeding should be served.
09/26/19  Dennis Howard, II Northern Kentucky University Petition for Full Intervention by Northern Kentucky University (NKU)
09/18/19  Deborah Gates Rocco O. DAscenzo Excel spreadsheets Attachments final file
09/18/19  Deborah Gates Rocco O. DAscenzo Excel spreadsheets Attachments continued
09/18/19  Deborah Gates Rocco O. DAscenzo Excel spreadsheets cont.
09/18/19  Deborah Gates Rocco O. DAscenzo Excel Attachments to DEK Response to the Commission Staffs First Request for Information
09/18/19  Deborah Gates Rocco O. DAscenzo Response to Commission Staffs First Request for Information continued
09/18/19  Deborah Gates Rocco O. DAscenzo Duke Energy Kentucky, Inc. hereby submits its Response to the Commission Staffs First Request for Information
09/13/19  Order Entered: 1. Duke Kentucky's proposed rates are suspended for six months, up to and including April 2, 2020. 2. The procedural schedule set forth in the Appendix to this Order shall be followed in this proceeding. 3. a. Responses to requests for information in paper medium shall be appropriately
bound, tabbed, and indexed. Responses that are required to be provided on electronic medium shall be in portable document format (PDF), shall be searchable and shall be appropriately bookmarked. b. Each response shall include the name of the witness responsible for responding to the questions related to the information provided. Each response shall be answered under oath, or for representatives of a public or private corporation or a partnership or an association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry. c. Any party shall make timely amendment to any prior response if it obtains information which indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect. d. For any request to which a party fails or refuses to furnish all or part of requested information, party shall provide written explanation of specific grounds for failure to completely and precisely respond.

09/10/19 Kurt J. Boehm The Kroger Co. The Kroger Co. Motion to Intervene
09/09/19 No deficiency letter
09/03/19 Minna Sunderman Rocco DAscenzo Upload #7 of 7 - Duke Energy Kentucky, Inc.s Application for An Adjustment of Electric Rates (Excel Attachments)
09/03/19 Minna Sunderman Rocco DAscenzo Upload #6 - Duke Energy Kentucky, Inc.s Application for An Adjustment of Electric Rates
09/03/19 Minna Sunderman Rocco DAscenzo Upload #5 - Duke Energy Kentucky, Inc.s Application for An Adjustment of Electric Rates
09/03/19 Minna Sunderman Rocco DAscenzo Upload #4 - Duke Energy Kentucky, Inc.s Application for An Adjustment of Electric Rates
09/03/19 Minna Sunderman Rocco DAscenzo Upload #3 - Duke Energy Kentucky, Inc.s Application for An Adjustment of Electric Rates
09/03/19 Minna Sunderman Rocco DAscenzo Upload #2 - Duke Energy Kentucky, Inc.s Application for An Adjustment of Electric Rates
09/03/19 Minna Sunderman Rocco DAscenzo Duke Energy Kentucky, Inc.s Application for An Adjustment of Electric Rates
08/28/19 Commission Staff's First Request for Information to Duke Energy Kentucky, Inc.
08/27/19 Order Entered: Duke Kentucky's motion for a deviation is denied.
08/16/19 Deborah Gates Rocco O. DAscenzo Duke Energy Kentucky submits its Motion for Deviation from Filing Requirements
08/01/19 Acknowledge Receipt of Filing
08/01/19 Duke Energy Kentucky, Inc. Notice of Intent to File an Application for 1) An Adjustment of the Electric Rates; 2) Approval of New Tariffs; 3) Approval of Accounting Practices to Establish Regulatory Assets and Liabilities; and 4) All Other Required Approvals and Relief Using Electronic Filing Procedures

Total Number of Cases: 1