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Case Management System - KY Public Service Commission*Regular Cases Before the Commission as of April 05, 2025***2005-00228**

RECEIVED: 08/01/05

FILED: 08/01/05

FINAL: 11/29/05

REOPENED:

SUSPENSION DATE:

CASE NATURE: Merger Agreement with Duke Energy Corporation

CASE CODE

Transfer / Sale / Purchase / Merger

UTILITIES:

The Union Light, Heat and Power Company

INTERVENORS: AG/Kroger

HEARINGS:

03/30/06 Informal Conference
 01/10/06 Informal Conference
 10/19/05 Formal Hearing
 10/12/05 Informal Conference
 10/10/05 Informal Conference
 06/30/05 Informal Conference

INDEX OF EVENTS:

03/18/16 POST CASE: Duke Energy Kentucky, Inc.'s Financial Statements and Auditors Report
 06/04/15 POST CASE: Duke Energy Kentucky, Inc. Final Report
 02/12/15 POST CASE: Duke Energy 2014 Fourth Quarter Financial Statements
 11/14/14 POST CASE: Duke Energy Kentucky, Inc. Third Quarterly 2014 Jurisdictional Financial Statements Per Order
 09/16/14 POST CASE: Duke Energy revised financial statements for the end of second quarter 2014
 08/14/14 POST CASE: Duke Energy Kentucky Second Quarter 2014 Jurisdictional Financial Statement
 11/21/13 POST CASE: Duke Energy Kentucky's First Quarter 2013 Jurisdictional Financial Statements
 11/13/13 POST CASE: Duke Energy Kentucky's Third Quarter 2013 Jurisdictional Financial Statement
 08/14/13 POST CASE: Duke Energy Kentucky, Inc.'s Second Quarter 2013 Jurisdictional Financial Statements Per Order
 03/13/13 POST CASE: Duke Energy Affiliate Management Audit
 02/14/13 POST CASE: Duke Energy fourth Quarter 2012 jurisdictional financial statements
 11/15/12 POST CASE: Duke Energy 3rd Qtr 2012 Financial Statements
 11/14/12 POST CASE: Duke Energy 3rd Qtr Financial Statements in Response to Order (Fax)
 03/14/12 POST CASE: Duke Energy's Report of Compliance of Merger Commitments
 04/01/11 POST CASE: Duke Energy Kentucky, Inc.'s Final Report Compliance Audit
 03/30/11 POST CASE: Duke Energy's Update Regarding Merger Commitments
 03/28/11 POST CASE: Duke Energy's Financial Statement and Auditors' Report
 03/07/11 POST CASE: Duke Energy's Information Report Re: Merger Commitments
 11/15/10 POST CASE: DUKE Financial Statements
 10/23/09 Letter to Rocco D'Ascenzo granting Duke Energy Kentucky's petition for confidentiality filed 05/26/09 for protection of certain information
 09/08/09 Duke Energy's Report Re: merger Commitments
 07/23/09 Duke Energy's Notice of Filing of Revised Affiliate Agreements
 05/29/09 Duke Energy's First Quarter 2009 jurisdictional financial statements
 05/26/09 Duke Energy's Final Report Audit of Merger-Related Agreements and Petition for Confidential Treatment
 04/23/09 Duke Energy's SEC Form 10-K and audited Financial Statements from Cinergy
 04/03/09 Duke Energy's Update to 03/13/09 Compliance Commitment Letter to PSC
 03/16/09 Duke Energy Kentucky Report on commitments to ensure compliance
 12/12/08 Duke Energy Letter regarding delay in filing audit reports
 10/28/08 Duke Energy's Notice of Delay in Report for 45 days
 06/18/08 Duke Energy Kentucky Report on Commitments to ensure compliance
 03/31/08 Duke's Financial Statements dated 12/31/07
 02/04/08 Duke Energy - Kentucky report

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11/20/07 Quarterly financial statements Sept 30, 07 and a report on the Company's capital structure Sept 30, 07 for Duke Energy

05/16/07 Quarterly supplemental financial statements for Duke energy Kentucky

05/15/07 Quarterly financial statements and report of Duke

04/16/07 Response to Order Duke Energy financial statements dated Dec 31, 06

03/14/07 Commitments made by Duke Energy on Settlement agreement

03/02/07 Notice from Duke Energy setting forth an analysis of any changes and implications for DE- Kentucky's customers

12/01/06 Response to Order from Duke Energy

11/20/06 Response to Order of Nov 29, 06 from Duke Energy

10/23/06 Letter of Notification from AG concerning destroying confidential information

08/16/06 Response to Order of Nov 29, 05

05/03/06 Order entered; ULH&P will be in compliance with Merger Commitment Nos. 3 and 4 appended to the November 29, 2005 Order, if it discontinues filing voluntary financial reports with the SEC and thereby eliminates the need to use push-down accounting for recording the Duke/Cinergy merger on the books of ULH&P; will satisfy Merger Commitment No. 36, appended to the November 29, 2005 Order, by the timely submission of SEC Form 10-K for Duke Energy, Cinergy and CG&E

04/21/06 Duke Energy notice of filing of revised affiliate agreements

04/10/06 Tariff of ULH&P effective May 1, 06

04/10/06 Response of Attorney General to ULH&P's dba Duke Energy KY's Motion for a finding of compliance Attachment A which was inadvertently omitted from the ULH&P Duke Energy Kentucky motion for a finding of Compliance with Merger Commitments nos 3 & 4 which was docketed on April 6, 06

04/07/06 Motion of ULH&P for finding of compliance with merger commitments no 3 & 4

04/06/06 Response to Order of Nov 29, 06 from ULH&P

03/30/06 Response to Commission's November 29, 2005 Order filing of merger approvals received from FERC, Nuclear Regulatory Commission, Federal Communications Commission and all state regulatory commissions

03/29/06 Response to Order of Nov 29, 05 from ULH&P

03/17/06 Commission Staff's Notice of Informal Conference on March 30, 2006 at 10:00 a.m., in Hearing Room 2 of the Commission's offices

03/17/06 Adoption notice related to merger to implement name change for The Union Light, Heat and Power Company to Duke Energy Kentucky, Inc including tariffs

03/10/06 Letter to update the PSC & Parties on the applicability of push down accounting to ULH&P & request for informal conference

03/09/06 Response to Order of Nov 29, 05 from Cinergy

02/16/06 Certification by Scott J Rubin regarding his destruction of confidential & proprietary documents from the AG

02/13/06 Merger approvals from ULH&P

01/19/06 Informal Conference Memorandum; any comments due 1/21/06

01/13/06 Commission Staff's Notice of Informal Conference on 1/10/06 at 3:00 p.m.

01/09/06 SEC Form U5-S from ULH&P

01/03/06 FERC, Ohio, South Carolina, and FCC merger approval from ULH&P

12/29/05 Final Order entered; the terms and conditions set forth in the Agreed Stipulation are adopted and approved and are incorporated into this Order as if fully set forth herein; The Joint Applicants shall individually and collectively be bound by and comply with each of the provisions and commitments set forth in the Agreed Stipulation; The proposed merger transaction of Cinergy and Duke Energy and the resulting indirect transfer of control of ULH&P are approved

11/29/05 Transcript filed for Hearing on Oct 20, 05

11/04/05 Letter from ULH&P stating that they do not intend on filing a brief

10/26/05 Informal Conference Memorandum; any comments due 10/28/05

10/21/05 ULH&P's response to Hearing Data Request

10/20/05 Parties Agreed Stipulation

10/18/05 AG's responses to Commission Staff's data requests

10/13/05 AG's responses to Joint Applicants request for information

10/13/05 AG's notice of filing with motion to truncate

10/13/05 Affidavit of publication from ULH&P

10/12/05 Letter to Robert M. Watt III granting Duke Energy Corporation's petition for confidentiality filed 8/30/05

10/11/05 Commission Staff's Notice of Continuation of 10/10/2005 Informal Conference to reconvene 10/12/2005 at 10:00 a.m., EDT, in Hearing Room 2

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10/07/05 Supplemental testimony of Scott J. Rubin from the AG
 10/05/05 Commission staff's data request to AG, response due October 14, 2005
 10/05/05 Joint Applicant's request for information to the AG
 10/04/05 Order entered, Ms Karn & Mr Brothers admitted pro hac vice for purpose of representing ULH&P, CG&E & Cinergy
 10/03/05 Motion for admission Pro Hac Vice for Ronald Brothers and Kelley Karn to represent ULH&P
 10/03/05 Commission Staff's Notice of Informal Conference on 10/10/2005 at 10:00 a.m. in Hearing Room 2
 09/30/05 Supplemental Response of Joint Applicant's to AG's request for information
 09/28/05 Order entered; The Joint Applicants shall file updated synergy study and any available workpapers as requested in the AG's second data request, Item Nos. 9 and 10 by 9/30/05; AG shall file supplemental prepared direct testimony, if any, no later than 10/7/05 on the limited issue of the updated synergy study
 09/28/05 Request for an informal conference from ULHP
 09/28/05 Testimony of Scott J. Rubin on behalf of the AG
 09/27/05 Response to 2nd request Item 1 from Duke Energy
 09/23/05 Response of Duke Energy to motion to compel
 09/22/05 Order entered: Joint Applicants shall file detailed response to motion no later than 9/23/2005
 09/20/05 AG's Motion to Compel
 09/16/05 Response to Commission Staff data request from ULH&P
 09/16/05 Responses and supplemental responses to the AG from ULH&P
 09/09/05 Supplemental Data Request of Commission Staff to Applicants; response due 9/16/05
 09/08/05 AG supplemental request for information
 09/08/05 Correction to responses sent in August 30, 2005 from ULH&P
 09/08/05 Letter regarding petition for confidentiality of August 30, 2005 filing from ULH&P
 09/02/05 Follow up to letter dated Aug 31, 05 regarding joint applicants responses to the AG first set of discovery requests
 09/01/05 AG notice regarding confidentiality agreement
 08/31/05 Petition for confidential from ULH&P
 08/31/05 Supplemental responses to the AG from The Joint Applicant's
 08/31/05 Due diligence reports from ULH&P
 08/30/05 Petition for confidential treatment from Cinergy
 08/30/05 Response to Commission's Data Requests from Cinergy
 08/30/05 Responses to Attorney General's Request for Information from Cinergy
 08/26/05 Request for approval of Confidentiality Agreement from Cinergy
 08/24/05 Letter regarding progress on Cinergy/Duke Energy Merger
 08/17/05 First Data Request of Commission Staff to Applicants; response due 8/30/05
 08/17/05 Direct Testimony of Paul Anderson from ULH&P
 08/16/05 AG's request for information to the Joint Applicants
 08/12/05 Order entered; supplements 8/9/05 procedural schedule to the limited extent as set forth in Appendix A; Additional prepared testimony of Duke Energy Corp. due 8/17/05; Last day for applicants to publish notice of hearing 10/12/05; Hearing scheduled for 10/19/05 at 9:00 a.m. in HR #1
 08/10/05 Order entered; the 60-day time limit for review of the pending application shall be extended for an additional 60 days, pursuant to KRS 278.020(6); sets procedural schedule
 08/09/05 No Deficiency Letter
 08/03/05 Agreement for filing consolidated income tax returns from ULH&P
 08/01/05 Joint Application of ULH&P and Direct Testimony
 07/22/05 Order entered granting intervention to The Kroger Company
 07/21/05 Copy of application to North Carolina Commission from Duke Energy/ULHP
 07/20/05 Order entered granting motion filed by joint applicants requesting that Paul R. Newton and Kodwo Ghartey-Tagoe be admitted to practice in case pro hac vice
 07/20/05 Order entered granting intervention to Attorney General
 07/19/05 Motion to intervene from the Kroger Co.
 07/15/05 Copy of the Application for Authorization of Disposition of Jurisdictional Assets filed FERC from ULH&P
 07/14/05 Restated motion for Admission Pro Hac Vice to admit Paul R. Newton from ULH&P
 07/14/05 Restated motion for admission Pro Hac Vice for Kodwo Ghartey-Tagoe from ULH&P
 07/13/05 Attorney General's motion to intervene
 07/13/05 Letter dated 7/11/2005 enclosing Memorandum dated 7/06/2005 for Informal Conference of 6/30/2005; Comments, if any, due 7/19/2005

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07/12/05 Order entered granting Motion filed by The Union Light, Heat and Power Company requesting that one of its attorneys, Kate E. Moriarty, be admitted to practice in this case pro hac vice, and finding compliance with Kentucky Supreme Court Rule 3.030(2)

07/11/05 As filed copy of Form S-4 and applications for merger approval filed with Indiana Regulatory Commission and Ohio from ULH&P

07/11/05 Motion for Admission Pro Hac Vice from ULH&P

07/11/05 Motion for Admission Pro Hac Vice from ULH&P

07/08/05 Motion for admission Pro Hac Vice to admit Kate E. Moriarty to represent ULH&P

06/23/05 Commission Staff's Notice of Informal Conference for 6/30/2005 at 10:00 a.m., EDT, in Conference Room 2 to discuss ULH&P's upcoming application for approval of merger of its parent company, Cinergy Corp., with Duke Energy Corporation, and procedure dates for processing merger application

06/16/05 Acknowledge Receipt of Notice of Intent

06/16/05 Cinergy, parent company of The Union Light, Heat and Power Company, and Duke Energy's request for an informal conference on 6/30/2005 at 9:00 a.m., and Notice that joint application will be filed for approval of merger pursuant to KRS 278.020(5) and (6) on our about 7/01/2005

Total Number of Cases: 1