### DOC11R

# **Case Management System - KY Public Service Commission**

Regular Cases Before the Commission as of November 05, 2025

**2008-00495** RECEIVED: 12/01/08 FILED: 12/01/08 FINAL: 01/29/10 REOPENED:

SUSPENSION DATE:

CASE NATURE: Energy Efficiency Plan

## **CASE CODE**

Tariffs

### **UTILITIES:**

Duke Energy Kentucky, Inc.

INTERVENORS: AG/Kurtz

## **HEARINGS:**

| Formal Hearing      |
|---------------------|
| Formal Hearing      |
| Formal Hearing      |
| Formal Hearing      |
| Informal Conference |
|                     |

### **INDEX OF EVENTS:**

| 01/29/10             | Final Order Entered:  (1) Duke Kentuckula metian to diamica is granted.  |
|----------------------|--|
|                      | <ul><li>(1) Duke Kentucky's motion to dismiss is granted.</li><li>(2) This case is dismissed without prejudice and removed from the Commission's docket.</li></ul> |
| 01/29/10             | Duke Energy's Affidavit Attesting to the Publication of Notice of Hearing  |
| 01/28/10             | Duke Energy's Motion for Dismissal Without Prejudice   |
| 01/27/10             | Duke Energy's Motion for Dismissal Without Prejudice (fax)   |
| 12/21/09             | Duke Energy's Response to No. 13 of Staff's 1st Set of Information Requests  |
| 12/01/09             | Acknowledge Receipt of Filing  |
| 11/23/09             | Order Entered: Hearing scheduled on Dec 15, 09 in this matter is cancelled: A Hearing in this matter   |
| 40/00/00             | shall be held on Feb 4, 10 at 10 am in Hearing Room 1  |
| 10/23/09             | Letter to Michael Kurtz granting The Kroger Company's petition for confidentiality filed 06/08/09 for protection of certain information                            |
| 10/19/09             | Duke Energy's Response to Motion to Modify Procedural Schedule   |
| 10/12/09             | Kroger Co.'s Motion to Modify the Procedural Schedule  |
| 10/08/09             | Order Entered: A hearing in this matter shall be held on Dec 15, 09 at 10 am in Hearing Room 1: Duke   |
|                      | Energy Kentucky shall publish notice of this hearing in compliance with 807 KAR 5:011 8(5): Official   |
|                      | record of these proceedings shall be by court reporter: Any request to cancel or postpone this hearing   |
|                      | shall be made by motion filed with the PSC at least one week before the hearing is scheduled to  |
| 00/00/00             | commence   |
| 09/29/09             | Duke Energy's Affidavit and Notice of Publication per Order dtd 082109   |
| 09/18/09             | Duke Energy's Responses to Staff's Supplemental Data Request and AG's Requests for Information   |
| 09/08/09             | Supplemental Data Request of Commission Staff to Duke Energy Kentucky  |
| 09/08/09<br>08/21/09 | Attorney General's Supplemental Requests for Information Order Entered:  |
| 06/21/09             | (1) Duke Kentucky's motion to substitute Donald L. Storck's direct testimony and attachments for the   |
|                      | testimony and attachments of Paul G. Smith is granted.   |
|                      | (2) The procedural schedule appended hereto shall be followed.   |
|                      | (3) The hearing scheduled in this matter for August 27, 2009 at 10:00 a.m. is cancelled and shall be   |
|                      | rescheduled as soon as practicable after the conclusion of the discovery established in the procedural   |
|                      | schedule.  |
|                      | (4) Duke Kentucky shall publish notice of its amended proposal as set forth in the procedural schedule.  |
| 08/20/09             | Duke Energy's Response to AG's Motion to Modify the Procedural Schedule, Postpone Hearing, and   |
|                      | Allow for Additional Discovery   |
| 08/19/09             | Duke Energy's Original Affidavit of Publication Notice   |
| 08/17/09             | Duke Energy's Motion to Amend & Substitute Testimony of Donald Storck & Direct Testimony of  |
|                      | Donald L. Storck   |
| 08/17/09             | Attorney General's Motion to Modify Procedural Schedule  |
|                      |  |

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| 07/27/09             | Order Entered: Formal Hearing is scheduled to commence at 10 am on Aug 27, 09 in Hearing Room 1   |
|----------------------|---|
| 01/21/03             | of the PSC offices for the purposes of cross examination of the witnesses of Duke Kentucky and  |
|                      | Intervenors that have filed prepared testimony in this proceeding: Duke shall publish notice of the   |
|                      | hearing no later than Aug 20, 09: Date for filing of simultaneous briefs shall be established at the  |
|                      | formal public Hearing   |
| 07/15/09             | Letter to Amy Spiller granting Duke Energy Kentucky, Inc.'s petition for confidentiality filed 4/27/09  |
| 07/15/09             | Duke Energy's Motion to Establish Procedural Schedule and Hearing   |
| 06/19/09             | Letter to Amy Spiller granting Duke Energy Kentucky, Inc's petition for confidentiality filed 3/30/09   |
| 06/18/09             | Duke Energy's Supplemental Response to Number 13 of PSC Staff's First Set of Informational  |
|                      | Requests  |
| 06/08/09             | Kroger Company's Responses to Duke Energy and Staff's First Set of Data Requests with Petition for  |
|                      | Confidential Treatment  |
| 05/27/09             | Data Request of Commission Staff to The Kroger Company  |
| 05/22/09             | Duke Energy's First Set of Interrogatories and Data Requests to Kroger Co.  |
| 05/11/09             | Kroger's direct testimony and exhibits of Kevin C. Higgins  |
| 04/27/09             | Duke Energy's Responses to Supplemental Requests for Information from Commission with Petition  |
| 04/44/00             | for Confidential Treatment  |
| 04/14/09<br>03/30/09 | Supplemental Data Request of Commission Staff to Duke Energy Kentucky, Inc.   |
| 03/30/09             | Duke Energy's Responses to Initial Requests from Commission and Responses to Initial Requests for Information by AG's office with Petition for Confidential Information                       |
| 03/16/09             | Initial Data Request of Commission Staff to Duke Energy Kentucky, Inc.  |
| 03/16/09             | Attorney General's Initial Requests for Information   |
| 03/13/09             | Letter to Spiller granting Duke's petition for confidentiality filed 12/1/08 for protection of Attachment to  |
| 00/10/00             | application Direct Testimony of Richard Stevie and Direct Testimony of David Freeman  |
| 02/13/09             | Order Entered 02/13/09:   |
| 0_/ : 0/ 00          | (1) Duke Kentucky's proposed rates are suspended for 5 months, up to and including August 31, 2009.   |
|                      | (2) The procedural schedule set forth in the Appendix to this Order shall be followed in this proceeding.   |
|                      | (3) (a) All requests for information and responses there to shall be appropriately bound and the original   |
|                      | and 10 copies shall be filed with the Commission with copies to all parties of record.  |
|                      | (3) (b) Each response shall be answered under oath.   |
|                      | (3) (c) Any party shall make timely amendment to any prior response if it obtains information which   |
|                      | indicates that the response was incorrect.  |
|                      | (3) (d) For any request to which a party fails or refuses to furnish the requested information, that party  |
|                      | shall provide written explanation.  |
|                      | (4) Any party filing testimony shall file an original and 10 copies.  |
|                      | (5) Duke Kentucky shall give notice of the hearing.   |
|                      | (6) At any public hearing in this matter, neither opening statements nor summarization of direct  |
|                      | testimonies shall be permitted.   |
|                      | <ul><li>(7) Any objections or motions shall be filed upon 4 business days notice.</li><li>(8) Motions for extensions of time with respect to the schedule shall be made in writing.</li></ul> |
|                      | (9) Nothing contained herein shall prevent the Commission from entering further Orders in this matter.  |
| 02/12/09             | Duke Energy's Affidavit and newspaper tear sheet verifying notice of filing   |
| 02/06/09             | Order Entered 02/06/09:   |
| 02/00/00             | It is therefore Ordered that Catherine E. Heigel is admitted pro hac vice for the purpose of representing   |
|                      | Duke Kentucky in the proceeding provided that Amy B. Spiller, or another member of the Kentucky Bar   |
|                      | Association, acts as co-counsel and is present at any and all proceedings before this Commission.   |
| 02/02/09             | Memorandum dated 2/2 for Informal Conference of 1/26; Comments, if any, due within 5 days of  |
|                      | receipt   |
| 01/20/09             | Duke Energy's Motion to Admit Catherine E. Heigel PRO HAC VICE  |
| 01/16/09             | Mark David Goss' Notice of Entry of Appearance  |
| 01/15/09             | Order Entered 01/15/09:   |
|                      | Commission Staff has scheduled an informal conference on January 26, 2009 at 1:00 p.m., Eastern   |
|                      | Standard Time, in Conference Room 2 of the Commission's offices at 211 Sower Blvd, Frankfort, KY,   |
| . = 1= - 1=          | for the purpose of discussing all aspects of Duke Energy Kentucky, Inc.'s application.  |
| 12/31/08             | Order entered granting Kroger intervention.   |
| 12/31/08             | Order entered granting Attorney General intervention.   |
| 12/10/08             | Attorney General's Motion to Intervene  |
| 12/10/08             | Kroger's Patition To Intervene  |

Kroger's Petition To Intervene

12/10/08

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12/01/08 Duke Energy's Application for Approval of Energy Efficiency Plan, Including an Energy Efficiency Rider and Portfolio of Energy Efficiency Programs
 12/01/08 Duke Energy's Application for Approval of Energy Efficiency Plan, Including an Energy Efficiency Rider
 Duke Energy's petition for confidential treatment

Total Number of Cases: 1