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**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of December 27, 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:**

02/05/10	Formal Hearing
02/04/10	Formal Hearing
12/15/09	Formal Hearing
08/27/09	Formal Hearing
01/26/09	Informal Conference

**INDEX OF EVENTS:**

01/29/10	Final Order Entered: (1) Duke Kentucky's motion to dismiss is granted. (2) This case is dismissed without prejudice and removed from the Commission's docket.
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 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 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	Attorney General's Supplemental Requests for Information
08/21/09	Order Entered: (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 of the PSC offices for the purposes of cross examination of the witnesses of Duke Kentucky and Intervenor 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 for Confidential Treatment

04/14/09 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 application Direct Testimony of Richard Stevie and Direct Testimony of David Freeman

02/13/09 Order Entered 02/13/09:  
 (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.  
 (7) Any objections or motions shall be filed upon 4 business days notice.  
 (8) Motions for extensions of time with respect to the schedule shall be made in writing.  
 (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:  
 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, 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 Petition To Intervene

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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 petition for confidential treatment

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Total Number of Cases: 1