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**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of April 27, 2026***2010-00248**

RECEIVED: 07/16/10

FILED: 07/16/10

FINAL: 09/17/10

REOPENED:

SUSPENSION DATE:

CASE NATURE: Alleged Failure to Comply With KRS 278.042

**CASE CODE**

Investigation - Service

**UTILITIES:**

Duke Energy Kentucky, Inc.

**HEARINGS:**

09/21/10 Formal Hearing

08/27/10 Informal Conference

**INDEX OF EVENTS:**

03/26/13 POST CASE: Duke Energy Inspection for Ground Clearance Report

09/29/10 Receipt of Payment

09/29/10 Duke Energy's penalty payment

09/17/10 Order Entered:

(1) The Joint Stipulation of Facts and Settlement Agreement is adopted and approved in its entirety as a complete resolution of all issues in this case.

(2) Duke shall pay \$2,500.00 as a civil penalty within 30 days of the date of this Order.

(3) Beginning with the first full calendar month following the date of entry of this Order, Duke shall implement a heightened scrutiny for ground clearances on all medium-voltage conductors within its service territory.

(4) Upon the completion of the inspection noted in ordering paragraph 3, Duke shall submit a report to the Commission identifying all points of interests that were corrected during the investigation. Duke shall submit this report no later than March 31, 2013.

(5) Duke shall provide the findings of the ongoing and completed inspection to Commission inspectors upon request and during the inspectors' periodic inspections.

(6) The hearing scheduled for September 21, 2010 is canceled.

(7) Upon payment of the \$2,500.00 civil penalty, this case shall be closed and removed from the Commission's docket without further Order of the Commission.

(8) Any documents filed in the future shall reference this case number and shall be retained in the utility's general correspondence file.

09/01/10 Memorandum dated 9/01/10 for Informal Conference of 8/27/10; Comments, if any, due within seven days of receipt

08/20/10 Commission Staff's Notice of Informal Conference

08/06/10 Duke Energy's Response to Commission July 16, 2010 Order

07/16/10 Order Entered:

(1) Duke shall submit to the Commission, within 20 days of the date of this Order, a written response to the allegations contained in the Report.

(2) Duke shall appear on September 21, 2010 at 10:00 a.m. EDT in HR 1 for the purpose of presenting evidence concerning the alleged violations of KRS 278.042 and of showing cause why it should not be subject to the penalties prescribed in KRS 278.990(1) for these alleged violations.

(3) At the scheduled hearing in this matter, Duke shall also present evidence on the adequacy, safety, and reasonableness of its practices related to the construction, installation, and repair of electric facilities and whether such practices require revision.

(4) The September 21, 2010 hearing shall be recorded by videotape only.

(5) The Report in the Appendix is made a part of the record of this case.

(6) Any requests for informal conference with Commission Staff shall be set forth in writing and filed with the Commission within 20 days of the date of this Order.