BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of The Application of)	
Duke Energy Kentucky, Inc. to Amend)	Case No. 2014-00280
Its Demand Side Management Programs)	

DUKE ENERGY KENTUCKY, INC.'S MOTION FOR DEVIATION

Comes now Duke Energy Kentucky, Inc. (Duke Energy Kentucky or the Company) and hereby moves the Kentucky Public Service Commission (Commission) for a deviation from 807 KAR 5:001 Section 17(2)(b)(3) which requires Publishing notice once a week for three (3) consecutive weeks in a prominent manner in a newspaper of general circulation in the utility's service area, the first publication to be made no later than the date the application is submitted to the commission.¹

Duke Energy Kentucky's notice regarding the filing in the above-styled proceeding, was scheduled to run in seven newspapers of general circulation covering each of the counties in the Company's service territory. Of those seven newspapers, only The Kentucky Enquirer is the only daily newspaper. The other six newspapers only publish once a week. The Company's application in this proceeding was filed on August 15, 2014. The Company contacted each of the six newspapers in advance of its filing to arrange the notice to be published. The Kentucky Enquirer published its notice beginning on August 15, 2014, the same date the Company filed its application in this proceeding.

The weekly newspapers, however, were not able to align the publication of the Company's notice with its filing date. Because of the timing of the Company's August 15, 2014

¹ 807 KAR 5:001 Section 17(2)(b)(3).

filing as compared to the day of the week the weekly newspapers are published, the Company's notice could not be published on the same day as the Company's filing in accordance with 807 KAR 5:001 Section 17 (2)(b)(3). Further complicating the publication timing, several of these weekly newspapers require at least a week's advance notice for any such notice to run in the weekly publication. In each instance, the Company endeavored to publish its notice at the first opportunity, the next publication date of the weekly newspapers. The vast majority of these newspapers were able to publish within seven business days of the Company's filing.

One of the newspapers, the Falmouth Outlook (Outlook), took longer than expected to run the notice. The Outlook first ran the ad on September 9 with the second add on September 16, 2014. The Outlook then failed to run Duke Energy Kentucky's notice on the third scheduled date, at no fault of Duke Energy Kentucky. At Duke Energy Kentucky's request, the notice was included in the Outlook on September 30, 2014.

Duke Energy Kentucky made a good faith attempt to publish its notice in accordance with 807 KAR 5:001 Section 17, and indeed the first publication in the Kentucky Enquirer did indeed align with the filing date. Letters of explanation and electronic tear sheet from the Outlook are attached hereto as Exhibit A.

807 KAR 5:001 Section 17 (3) requires that Proof of Notice be filed with the commission no later than forty-five (45) days from the date the application was initially submitted to the commission. Duke Energy Kentucky met the requirement by timely filing all of their newspaper notices and affidavits, with the exception of the Outlook publication of September 30, 2014, which was filed with the Commission on October 7, 2014.

WHEREFORE, Duke Energy Kentucky respectfully requests that the Commission enter an Order granting Duke Energy Kentucky a deviation from the notice publication requirements set forth under 807 KAR 5:001 Section 17(2)(b)(3) as it pertains to the newspapers that publish on a weekly basis and with respect to the Outlook which failed to publish the Company's notice of this case run for three consecutive weeks.

Respectfully submitted,

Rocco O. D'Ascenzo

Associate General Counsel

Duke Energy Kentucky, Inc.

139 East Fourth Street, 1313 Main

Cincinnati, Ohio 45201-0960

(513) 287-4320

(513) 287-4385 (f)

Rocco.D'ascenzo@duke-energy.com

Counsel for Duke Energy Kentucky, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing filing was served on the following via ordinary mail, postage prepaid, this day of October 2014:

Larry Cook, Assistant Attorney General
Jennifer Hans
The Kentucky Office of the Attorney General
1024 Capital Center Drive
Frankfort, Kentucky 40602-2000
jennifer.hans@ag.ky.gov

Richard Raff
Public Service Commission
211 Sower Boulevard, P.O. Box 615
Frankfort, Kentucky 40602-0615
Richard.Raff@ky.gov

Florence W. Tandy
Northern Kentucky Community Action Commission
717 Madison Avenue
Covington, Kentucky 41011
ftandy@nkcac.org

Peter Nienaber
Legal Aid of the Bluegrass
104 E. Seventh Street
Covington, Kentucky 41011
pnienaber@lablaw.org

Rocco O. D'Ascenzo

The Falmouth Outlook

210 Main Street - P.O. Box 111 Falmouth, Kentucky 41040 (859) 654-3332 • Fax (859) 654-4365

Debbie Dennie Publisher/Editor Dennie@falmouthoutlook.com www.falmouthoutlook.com

October 1, 2014

I do by as Publisher of the weekly newspaper, The Falmouth Outlook, duly swear that the legal notice for Duke Energy a 3 column X 5 3/4" legal giving notice that Duke Energy Kentucky, Inc. has applied to the Kentucky Public Service Commission for approval to revise its Demand Side Management (DSM) rate for electric service and gas service for residential and commercial customers was sent to our newspaper office by Duke Energy to be run in the September 9, September 16 and September 23 issues of the newspaper. It ran the 9th and 16th and did not make it in the 23rd's paper due to an error in our composing department overlooking it for the 23rd run.

Debbie Dennie Publisher/Editor

The Falmouth Outlook

The Falmouth Outlook

210 Main Street - P.O. Box III Falmouth, Kentucky 41040 (859) 654-3332 • Fax (859) 654-4365

Debbie Dennie Publisher/Editor Dennie@falmouthoutlook.com www.falmouthoutlook.com

September 30, 2014

I do by as Publisher of the weekly newspaper, The Falmouth Outlook , duly swear that the legal notice for Duke Energy a 3 column X 5 3/4" legal giving notice that Duke Energy Kentucky, Inc. has applied to the Kentucky Public Service Commission for approval to revise its Demand Side Management (DSM) rate for electric service and gas service for residential and commercial customers....did so run on Page 12, in the September 30th, 2014 issue of The Falmouth Outlook. I have so sent an electronic tearsheet showing the legal that did so run.

Debbie Dennie Publisher/Editor

The Falmouth Outlook

OURT

Tracy B. Bradford 1964.

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VOTING NOTICES CERTIFICATION OF YOTING MACHINES

Deadline to Register to vote is October 6, 2014

NOTICE TO ABSENTEE VOTERS IP YOU WILL BE OUT OF THE COUNTY ON ELECTION DAY, Thrudgy, November 4,2014 FROM 6 A.M. TO 6 F.M., YOU MAY YOUTE ON THE ARSENTEE MACHINE SET UP IN THE CLERK'S OFFICE FROM Conder 18, 2014 THROUGH Monday, November 3, 2014 UDWING SURGMAL BUSINESS HOURS.

RITA M. SPENCER PENDLETON COUNTY CLERK This Election November 4, 2014 General
The School Board Divisions 2 and 5 will be on the ballot if you
are in the proper Product you may be woring on a school board
condidate.

Absentes Votern Des to Obseldity, see, or illness cont an absentes application for a mail in indist Notice from Sites M. Spencer Pandleton County Clerk

10/21.

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- 50 prob one ym, \$100 & C. - 575 1974. - 587 1974. - 5 The Fendleton County Board of Elections will more on MONTAY, October 13, 2014 at 4 p.m. to certify the voting machines. Rita M. Spencer/Chairman County Board of Elections Pendleton County Clerk

30 Clubside Dr., Butler, KY 41006 For Sale! 10.3 e steriore constitut e est Chris Jackson, Realtor® (Relief William Realty Segres 1) Resident William Realty Segres 1) Auto Chris Jackson, Realtor® (Resident Realty Segres 1) Resident Resident Realty Segres 100 Resident Resid

KELLERWILLIAMS

NOTICE

Pleaso take notice that Dako Energy Kentucky, Inc. Just applied to the Kontucky Public Service Commission for approval to revise its Demand Side Management (DSM) note for electric service and gas service for redistoral and commercial customers and odd new products for its DSM program available to customers. Dake Energy Kentucky's current monthly DSM russ for its DSM program available to customers. But Double for electron did not non-residential gas customers is \$0.00000 per hundred cubic feet. Dake Energy Kentucky's current monthly DSM russ for residential electric customers in \$0.00000 per kilowate-how (WhY) and for con-residential customers in \$0.0010 per kilowate-how (WhY) and for con-residential customers in \$0.0010 per kilowate-how for the surface of the production of th

residential customer is \$0.001128 per kilowatt-hour for distribution service and \$0.000348 per kilowatt-hour for thressistissis service.

Dick Energy Kenbady serbs approval to revise these rates as follows: Dake Energy Kenbady serbs approval to revise these rates as follows: Dake Energy Kenbady serbs approval to revise these rates as follows: Dake Energy Kenbady in smolthy DSM rate for tensioners would mension as \$0.00000 per handred cubic feet and for non-residential gas customers would mensure as \$0.00000 per handred cubic feet and for non-residential gas customers would increase to \$0.001299 per kilowatt-hour and far ton-residential customers would increase in \$0.001999 per kilowatt-hour for intrastitations service.

\$0.001299 per kilowatt-hour for distribution service and would remain at \$0.000048 per kilowatt-hour for intrastitations service.

The rene contained in this notice is the rate proposed by Duke Energy Kennucky, However, the Public Service Commission may order a max to be charged that differs from this proposed rote. Such action may result in a rate for consumers other than the rate in this notice. The foregoing sear reflex a proposed increase in descrire revenues of approximately 32 thousand or 0.0195 over current total electric revenues and an increase of \$6 thousand or 0.0196 over current total electric revenues and an increase of \$6 thousand or 0.0196

thousand of 9.1979 over current total recent revenues and an increase on so unanesses or 50.07 over current gas revenues.

A typical residential gas customer using 70 ceft in a month will see an increase of 50.07 over 10.018 A typical residential electric customer using 1000 kW is an month will see an increase of 50.09 or 0.05%. A typical anon-residential electric customer using 40 kilowatts and 14,000 kW will see an increase of 50.09 or 0.15%. Non-residential gas customers and non-residential electric customers and non-residential ciectric customers served at transmission voltage will see no change in their bills from this nonlineation.

Any corporation, association, body pollule or person may by motion within thirty (30) days after publication or mailing of notice of the proposed rate changes, submit a written request to intereste the Public Service Commission, 211 Sower Boulevard, P.O. Box 615, Frankfort, Kentacky, 40502, and shall set furth the grounds for the request including the status and interest, Kentacky, 40502, and shall set furth the grounds for the request including the status and interest above. Written commercia regarding the proposed rate may be submitted to the Public Service Commission with which is a Public Service Commission is a validate for public inspection at Datas Energy Kentacky's office at 4350 (Omphe Boulevand, Enlager, Kentacky 410)8 and on its website as http://www.duke.comeru.com.

VERY IMPORTANT ELECTION DAY NOVEMBER 4, 2014

101 - Front Crock on will be voring for a school board candidate in Division 45

D101 - Library D103 - Oxkland You will be voting for a school board candidate in Division \$2

you are in precincis:

you are in precincts: A102 - Butler Community B101 - Flour Ctock

PENDLETON COUNTY HIGH SCHOOLI thear will be 4 p Gardnersville Bapriss, Church Pleasant Ridge Church Sluor Creek Church Floyd Wills Gazage

(NORTHERN ELEMENTARY) there will be 3 procincts being: Butler Community Cear Finur Creek Church Narshern Pendleton Fire

SOUTHERN FLEMENTARY) there will be 5 provinces being: Blanker Creek Church Pendleson Co. Library Oakland Christian Church scald Muki Purpose Building

"I encourage everyone to get out and vote, this is a freedom w still have and I believe we should exercise our right to vote." Thank You, RITA M. SPENCER & Prodleton County Clark