

**COMMONWEALTH OF KENTUCKY**

**BEFORE THE PUBLIC SERVICE COMMISSION**

In The Matter of:

The Electronic Application of Duke Energy )  
Kentucky, Inc. for a Certificate of Public )  
Convenience and Necessity to Construct Phase ) Case No. 2018-00156  
Two of its West Landfill and for Approval to )  
Amend its Environmental Compliance Plan for )  
Recovery by Environmental Surcharge Mechanism )

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**MOTION TO SUBMIT CASE FOR ADJUDICATION  
ON THE ADMINISTRATIVE RECORD AND  
WAIVER OF RIGHT TO HEARING**

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Now comes Duke Energy Kentucky, Inc., (Duke Energy Kentucky or the Company) and hereby moves the Kentucky Public Service Commission (Commission) to submit the case for a decision based upon the existing record and without the need for a hearing, respectfully stating as follows:

On May 15, 2018, the Company filed an Application requesting the approval of (1) amendment of the Company's Environmental Compliance Plan for Recovery by Environmental Surcharge Mechanism; (2) a Certificate of Public Convenience and Necessity pursuant to KRS 278.020(1) for the construction of Phase Two of the Company's west landfill at East Bend Generating Station; and (3) all other relief to which the Company be entitled. The July 17, 2018 Order contained a procedural schedule which allowed for the filing of direct testimony, data requests, and a deadline for motions to intervene in the case. Duke Energy Kentucky has provided all the requested information and no testimony has been filed by the Kentucky Attorney General (the AG), the only intervenor in this proceeding.

The procedural schedule provided for no hearing date and Duke Energy Kentucky believes the administrative record is now complete and it would be appropriate for the Commission to make a ruling based upon the record. The Company has discussed submittal of this case for decision with the AG and they have indicated no objection. Accordingly, Duke Energy Kentucky respectfully waives the right to a hearing and requests a decision from the Commission based upon the existing record by December 31, 2018.

WHEREFORE, Duke Energy Kentucky moves the Commission to submit the case on the existing administrative record.

This ~~16<sup>th</sup>~~ day of November 2018.

Respectfully submitted,

DUKE ENERGY KENTUCKY, INC.

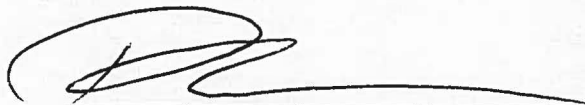


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**CERTIFICATE OF SERVICE**

In accordance with 807 KAR 5:001 Section 8(7), this is to certify that Duke Energy Kentucky, Inc.'s November 16, 2018 electronic filing is a true and accurate copy of the documents being filed in paper medium; that the electronic filing was transmitted to the Commission directly on November 16, 2018; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; that an original and one copy of the filing is being delivered via 2<sup>nd</sup> day mail to the Commission on November 16, 2018; and that on November 16, 2018, electronic mail notification of the electronic filing will be provided to the following:

Rebecca Goodman  
Office of the Attorney General  
Office of Rate Intervention  
700 Capitol Avenue, Ste. 20  
Frankfort, KY 40601  
Rebecca.Goodman@ky.gov

A handwritten signature in black ink, appearing to read 'Rocco D'Ascenzo', with a long horizontal line extending to the right from the end of the signature.

Rocco D'Ascenzo