

**COMMONWEALTH OF KENTUCKY**  
**BEFORE THE PUBLIC SERVICE COMMISSION**

In the Matter of:

Duke Energy Kentucky, Inc.'s	)	
Integrated Resource Plan	)	Case No. 2021-00245

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**DUKE ENERGY KENTUCKY, INC.'S**  
**MOTION TO ALLOW VIRTUAL EXAMINATION OF CERTAIN WITNESSES**

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Comes now Duke Energy Kentucky, Inc. (Duke Energy Kentucky or Company), by counsel, pursuant to 807 KAR 5:001, Section 9, and other applicable law, and moves the Kentucky Public Service Commission (Commission) to allow certain witnesses to participate in the May 17, 2022 hearing in the above-styled case through virtual means, respectfully stating as follows:

Duke Energy Kentucky filed its 2021 Integrated Resource Plan (IRP) on June 21, 2021. The Sierra Club and the Attorney General's Office of Rate Intervention intervened in the case and discovery was completed in December of 2021. The Commission entered an Order on April 14, 2022 that scheduled a hearing for May 17, 2022 at the Commission's offices in Frankfort, Kentucky.

Due to the unique nature of an IRP proceeding, no written testimony has been filed in this case. However, twenty-five (25) separate individuals provided responses to data requests in the discovery phase of the case. Eighteen (18) of these witness responded to three (3) or fewer questions. Moreover, it is anticipated that some witnesses will be able to adopt the responses of other witnesses in order to consolidate the number of necessary witnesses for

the hearing. Finally, approximately sixty percent (60%) of the responding witnesses work either in Charlotte, North Carolina or Plainfield, Indiana. Their appearance at the hearing would involve at least one full day, and likely parts of two days for the Charlotte witnesses, to be available to answer what would likely be at best only a handful of questions. The bulk of the data request responses were answered by seven witnesses who plan to appear in person for the hearing:

- 1) Mr. Scott Park, Managing Director of IRP Analytics;<sup>1</sup>
- 2) Mr. John Swez, Managing Director of Trading & Dispatch;
- 3) Mr. Matt Ruscio, Business Development Director;
- 4) Mr. Brian Bak, Director of Demand Side Management Analytics;
- 5) Dr. Ben Passty, Principal Load Forecasting Analyst;
- 6) Mr. Bruce Sailors, Director of Jurisdictional Rate Administration;<sup>2</sup> and
- 7) Ms. Sarah Lawler, Vice President of Rates and Regulatory Strategy for Kentucky & Ohio.

Due to the paucity of many of the remaining witnesses' sponsorship of data request responses and the significant time and expense associated with travelling from out of state, administrative efficiency and prudence suggests that the remaining witnesses be allowed to participate in the hearing virtually rather than be required to appear in person and likely not be the subject of significant, or any, cross-examination.<sup>3</sup> In light of the foregoing, Duke

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<sup>1</sup> Mr. Park will also be adopting the single response of Mr. Adam Nygaard, which eliminates the need for him to appear as a witness.

<sup>2</sup> Mr. Sailors will also be adopting the single response of Mr. Michael Pahutski, which eliminates the need for him to appear as a witness.

<sup>3</sup> The Company appreciates the Chairman's suggestion at the April 28, 2022 formal conference that any witnesses for whom there are no questions for cross-examination may be released at the outset of the hearing.

Energy Kentucky moves the Commission to allow the following witnesses to participate in the hearing virtually:

- 1) Mr. Michael Geers, Manager of Environmental Services (3 Responses);<sup>4</sup>
- 2) Mr. Jeff Gindling, Principal Engineer (2 Responses);
- 3) Ms. Wendi Fleener, Director of Clean Energy (1 Response);
- 4) Mr. Tim Duff, General Manager Portfolio Analysis and Regulatory Strategy (4 Responses);<sup>5</sup>
- 5) Mr. Cecil Gurganus, Vice President of Midwest Generation (1 Response);
- 6) Mr. Timothy Hohenstatt, Director of Transmission Planning (1 Response);
- 7) Mr. Tony Platz, Manager of Asset Management (1 Response);
- 8) Mr. Brett Phipps, Managing Director Fuel Procurement (1 Response);
- 9) Mr. Andrew Taylor, Manager of Products & Services (2 Responses); and
- 10) Mr. Bobby McMurray, Director of Resource Planning.<sup>6</sup>

Granting the motion will save considerable expense for the Company without impairing the ability of the Commission, Staff, the AG, or the Sierra Club to engage in meaningful cross-examination of the witnesses. Accordingly, Duke Energy Kentucky respectfully requests that the Commission grant this motion.

WHEREFORE, Duke Energy Kentucky, Inc. respectfully requests the Commission to allow certain witnesses to participate in the May 17, 2022 hearing in the above-styled case through virtual means.

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<sup>4</sup> Mr. Geers will also be adopting the two responses of Mr. Daniel Sympton, which eliminates the need for him to appear as a witness.

<sup>5</sup> Mr. Duff will also be adopting the single response of Ms. Trish Haemmerle, which eliminates the need for her to appear as a witness.

<sup>6</sup> Mr. McMurray will be adopting the responses of Mr. David Pitts and Mr. Chris Hixon, both engineering witnesses, which eliminates the need for them to appear as witnesses.

Respectfully submitted,

DUKE ENERGY KENTUCKY, INC.

/s/Rocco D'Ascenzo

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**CERTIFICATE OF SERVICE**

This is to certify that the foregoing electronic filing is a true and accurate copy of the document being filed in paper medium; that the electronic filing was transmitted to the Commission on May 4, 2022; and that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding.

/s/Rocco D'Ascenzo

Rocco D'Ascenzo