

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF DUKE ENERGY)	
KENTUCKY, INC. TO AMEND ITS)	Case No. 2022-00251
DEMAND SIDE MANAGEMENT)	
PROGRAMS)	

**DUKE ENERGY KENTUCKY, INC.’S MOTION TO ALLOW VIRTUAL
EXAMINATION OF CERTAIN WITNESS OR, IN THE ALTERNATIVE, TO
MODIFY MARCH 28, 2023 HEARING DATE TO APRIL 10 OR APRIL 11, 2023**

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 (1) allow a certain witness to participate in the March 28, 2023 hearing in the above-styled case through virtual means, or (2) in the alternative, changing the March 28, 2023 hearing date to April 10 or 11, 2023, respectfully stating as follows:

Duke Energy Kentucky filed its Application to Amend its Demand Side Management Programs (Application) on August 15, 2022. The Attorney General’s Office of Rate Intervention (AG) intervened in the case and discovery was completed in December of 2022. The Commission entered an Order on January 26, 2023, that scheduled a hearing for February 22, 2023, at the Commission’s offices in Frankfort, Kentucky. On February 9, 2023, the Company filed an Unopposed Motion to Amend the Procedural Schedule. Subsequently, the Company filed an Amended Unopposed Motion to Amend the Procedural Schedule on February 15, 2023. On February 17, 2023 the Commission entered an Order

rescheduling a hearing for March 28, 2023 at the Commission's office in Frankfort, Kentucky.

Duke Energy Kentucky moves the Commission to allow one witness to participate in the hearing virtually: Mr. Bruce L. Sailers. Prior to the rescheduling of the hearing date, when Mr. Sailers believed that a hearing would occur on February 22, 2023, Mr. Sailers had planned a vacation (including purchasing tickets and paying for accommodations for himself and family members) in Florida over a period which includes March 28, 2023, the date of the current hearing. Due to these pre-existing travel plans, and the significant time and expense associated with travelling from out of state, the Company respectfully requests that Mr. Bruce Sailers be permitted to appear at the March 28, 2023 hearing virtually. All remaining Company witnesses will be able to appear in-person.

Additionally, if this Motion is granted, Mr. Sailers will make himself available to conduct a test of technology with Commission Staff before the hearing to demonstrate that his audio and video capabilities are sufficient.

Granting the motion will save expense for the Company and logistical challenges for Mr. Sailers, without impairing the ability of the Commission, Staff, or the AG to engage in meaningful cross-examination of the witness. Accordingly, Duke Energy Kentucky respectfully requests that the Commission grant this motion.

In the alternative, if the Commission does not permit Mr. Sailers to appear at the March 28, 2023, hearing remotely, the Company respectfully requests that the hearing be moved to April 10 or April 11, 2023. All Company witnesses will be available to appear in person on those days.

Duke Energy Kentucky has consulted with counsel for the AG, and the AG does not oppose this motion.

WHEREFORE, Duke Energy Kentucky, Inc. respectfully requests the Commission to allow Mr. Bruce Sailors to participate in the March 28, 2023, hearing in the above-styled case through virtual means, or, in the alternative, to set the hearing for April 10 or April 11, 2023.

Respectfully submitted,

DUKE ENERGY KENTUCKY, INC.

/s/Larisa M. Vaysman

Larisa M. Vaysman (98944)

Senior Counsel

Duke Energy Business Services LLC

139 East Fourth Street, 1303-Main

Cincinnati, Ohio 45202

Phone: (513) 287-4010

Fax: (513) 370-5720

E-mail: larisa.vaysman@duke-energy.com

Counsel for Duke Energy Kentucky, Inc.

CERTIFICATE OF SERVICE

This is to certify that the foregoing electronic filing is a true and accurate copy of the document in paper medium; that the electronic filing was transmitted to the Commission on March 9, 2023; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; and that submitting the original filing to the Commission in paper medium is no longer required as it has been granted a permanent deviation.¹

John G. Horne, II
The Office of the Attorney General
Utility Intervention and Rate Division
700 Capital Avenue, Ste 118
Frankfort, Kentucky 40601
John.Horne@ky.gov

Catrena Bowman-Thomas
Northern Kentucky Community Action Commission
P.O. Box 193
Covington, Kentucky 41012
cbowman-thomas@nkcac.org

Peter Nienaber
Northern Kentucky Legal Aid, Inc.
302 Greenup
Covington, Kentucky 41011
pnienaber@lablaw.org

/s/Larisa M. Vaysman
Larisa M. Vaysman

¹*In the Matter of Electronic Emergency Docket Related to the Novel Coronavirus COVID-19*, Order, Case No. 2020-00085 (Ky. P.S.C. July 22, 2021).