

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN ELECTRONIC EXAMINATION OF THE)	
APPLICATION OF THE FUEL ADJUSTMENT)	CASE NO.
CLAUSE OF DUKE ENERGY KENTUCKY,)	2023-00012
INC. FROM NOVEMBER 1, 2020 THROUGH)	
OCTOBER 31, 2022)	

**MOTION OF DUKE ENERGY KENTUCKY, INC. FOR LEAVE TO
FILE OUT-OF-TIME AND ACCEPT TESTIMONY INSTANTER**

Now comes Duke Energy Kentucky, Inc. (Duke Energy Kentucky or the Company), pursuant to 807 KAR 5:001, Section 5, the Kentucky Public Service Commission's (Commission) September 6, 2023 Order in this proceeding (Order) and other applicable law, and hereby respectfully requests approval from the Commission for leave to file out-of-time its direct testimony of its witnesses as instructed by Paragraph 4 of said Order. In support of this Motion, Duke Energy Kentucky respectfully states as follows:

In its Order, Paragraph 4, the Commission ordered the Company to file the direct testimony of the witnesses Duke Energy Kentucky intends to call at the scheduled hearing in this matter and its responses to requests for information no later than the date indicated in the procedural schedule, September 22, 2023. On September 22, 2023, the Company filed its responses to Staff's requests for information but due to an undiscovered internal processing error, the testimonies were inadvertently not attached and uploaded. The Company discovered this mistake on September 28, 2023 and promptly submitted the testimonies of the witnesses the Company is planning to call at a yet to be scheduled evidentiary hearing.

The Company apologizes for this error and respectfully requests the Commission accept these testimonies so a full and complete record may be developed in this proceeding. The Company further submits that the filing of the direct testimony out-of-time will result in minimal, if any, undue prejudice or delay as none of the other procedural deadlines in the Commission's Order have passed.

WHEREFORE, Duke Energy Kentucky, Inc. respectfully requests for the reasons as set forth above the Commission grant its request to file its direct testimony out of time and accept them for filing instanter.

Respectfully submitted,

/s/ Rocco D'Ascenzo

Rocco O. D'Ascenzo (92796)

Deputy General Counsel

Larisa Vaysman

Senior Counsel (98944)

Duke Energy Business Services LLC

139 East Fourth Street, 1303-Main

Cincinnati, Ohio 45202

Phone: (513) 287-4320

Fax: (513) 370-5720

rocco.d'ascenzo@duke-energy.com

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 being filed in paper medium; that the electronic filing was transmitted to the Commission on September 28, 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 40601-8204

/s/Rocco O. D'Ascenzo

Counsel for Duke Energy Kentucky, Inc.

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