

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF DUKE ENERGY KENTUCKY, INC.)	
FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND)	CASE NO.
NECESSITY AUTHORIZING THE PHASE TWO)	2023-00210
REPLACEMENT OF THE AM07 PIPELINE)	

**DUKE ENERGY KENTUCKY, INC.’S RESPONSE
TO THE JUNE 29, 2023 DEFICIENCY NOTICE**

I. INTRODUCTION

Comes now Duke Energy Kentucky, Inc., (Duke Energy Kentucky or the Company) and, for its response to the Kentucky Public Service Commission (Commission)’s June 29, 2023 Deficiency Notice, and states as follows:

A. Deficiencies

1. 807 KAR 5:001, Section 14:

“Applicant failed to attest good standing.”

Response: Duke Energy Kentucky directs the Commission’s attention to Paragraph 1 of the Company’s Application.¹ This paragraph was intended to meet this requirement; however, in an effort to over comply, Duke Energy Kentucky hereby submits a certificate of good standing obtained from the Kentucky Secretary of State as Attachment 1.

¹ *In the Matter of the Electronic Application of Duke Energy Kentucky, Inc. for a Certificate of Public Convenience and Necessity Authorizing the Phase Two Replacement of the AM07 Pipeline*, Application at 1, Case No. 2023-00210 (Ky. P.S.C. June 28, 2023).

2. KRS 322.340

“Provided plans do not contain required engineer stamp.”

Response: Duke Energy Kentucky respectfully submits that its initial Confidential Exhibit 2 to its Application, consisting of its engineering plans, contains the requisite stamp. The required stamp is located on the lower left corner of each page of Confidential Exhibit 2, and contains the signature, stamp, date, and license number of a “Licensed Professional Engineer” registered in Kentucky. The Company submits that this stamp is in compliance with KRS 322.340 sections (1) and (3), which were identified by Commission Staff as the areas of deficiency.

II. CONCLUSION

For the foregoing reasons, Duke Energy Kentucky respectfully requests that the Commission issue an order finding that with the actions described above the Company’s application is deemed to meet the minimum filing requirements and that the application be accepted for filing as of the date of this submittal.

Respectfully submitted,

/s/Rocco O. D’Ascenzo

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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 June 30, 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.²

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/s/Rocco D'Ascenzo
Counsel for Duke Energy Kentucky, Inc.

² *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).

Commonwealth of Kentucky
Michael G. Adams, Secretary of State

Michael G. Adams
Secretary of State
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Certificate of Existence

Authentication number: 293492
Visit <https://web.sos.ky.gov/ftshow/certvalidate.aspx> to authenticate this certificate.

I, Michael G. Adams, Secretary of State of the Commonwealth of Kentucky, do hereby certify that according to the records in the Office of the Secretary of State,

DUKE ENERGY KENTUCKY, INC.

is a corporation duly incorporated and existing under KRS Chapter 14A and KRS Chapter 271B, whose date of incorporation is March 20, 1901 and whose period of duration is perpetual.

I further certify that all fees and penalties owed to the Secretary of State have been paid; that Articles of Dissolution have not been filed; and that the most recent annual report required by KRS 14A.6-010 has been delivered to the Secretary of State.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal at Frankfort, Kentucky, this 30th day of June, 2023, in the 232nd year of the Commonwealth.



Michael G. Adams

Michael G. Adams
Secretary of State
Commonwealth of Kentucky
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