

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

In the Matter of:

APPLICATION OF DUKE ENERGY KENTUCKY, )	
INC. FOR AUTHORIZATION OF CHANGES )	CASE NO.
IN SERVICE TERRITORY WITH OWEN )	2023-00283
COUNTY ELECTRIC COOPERATIVE )	

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**APPLICATION**

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Duke Energy Kentucky, Inc. (Duke Energy Kentucky), pursuant to KRS 278.018(6) and 807 KAR 5:001 Section 14, hereby applies for approval of changes in certified service territory as agreed with Owen County Electric Cooperative (Owen Electric).

1. The full name and mailing address is: Duke Energy Kentucky, 139 E. Fourth Street, Cincinnati, Ohio 45202. The Company’s local office in Kentucky is the Duke Energy Erlanger Operations Center, 1262 Cox Road, Erlanger, Kentucky 41018. Duke Energy Kentucky can also be reached at the following electronic mail address: [KYfilings@duke-energy.com](mailto:KYfilings@duke-energy.com).

2. Duke Energy Kentucky is a utility engaged in the gas and electric business. Duke Energy Kentucky purchases, sells, stores, and transports natural gas in Boone, Bracken, Campbell, Gallatin, Grant, Kenton, and Pendleton Counties, Kentucky. Duke Energy Kentucky also generates electricity, which it distributes and sells in Boone, Campbell, Grant, Kenton, and Pendleton Counties.

3. Pursuant to 807 KAR 5:001, Section 14(2), Duke Energy Kentucky states that it was originally incorporated in the Commonwealth of Kentucky on March 20,

1901, and attests that it is currently in good standing in said Commonwealth. Pursuant to 807 KAR 5:001, Section 14(2), a certified copy of Duke Energy Kentucky’s certificate of good standing from the Kentucky Secretary of State and a certificate for the following assumed name: “Duke Energy” is on file with the Kentucky Secretary of State and on file with the Commission in Case No. 2022-00372.<sup>1</sup> In addition, the Company has attached as Exhibit 1 a certified Certificate of Existence dated August 31, 2023.

4. Description of Changes in Service Territory: Owen Electric has agreed to relinquish to Duke Energy Kentucky certain parcels within the Ballyshannon Development and Duke Energy Kentucky has also agreed to relinquish to Owen Electric certain parcels within the Ballyshannon Development. The territorial boundary change is requested for the parcels as shown in Exhibit 4 in Union, Boone County, Kentucky. Owen Electric is granting Duke Energy Kentucky the rights to serve any load occupying said parcels and Duke Energy Kentucky is granting Owen Electric the rights to serve any load occupying said parcels. The re-alignment of the territory will serve the purposes of KRS 278.016 by avoiding unnecessary encumbering of the landscape and the wasteful duplication of facilities, as well as minimizing disputes between electric suppliers. The territorial maps provided constitute the entire agreement between Duke Energy Kentucky and Owen Electric.

5. Agreement and Maps: Attached as Exhibit 2 of this filing includes the summary list identifying Duke Energy Kentucky and Owen Electric personnel familiar with the specifics of the facilities available; the reason for the change and purposes

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<sup>1</sup> *In the Matter of the Electronic Application of Duke Energy Kentucky, Inc. (1) An Adjustment of Electric Rates; (2) Approval of New Tariffs; (3) Approval of Accounting Practices to Establish Regulatory Assets and Liabilities; and (4) All Other Required Approvals and Relief*, Case No. 2022-00372, Application (December 1, 2022).

served under KRS 278.016 is attached as Exhibit 3; and copies of the territorial (quadrant) map, detail map, and agreement signed by both parties for the properties involved are attached as Exhibit 4.

WHEREFORE, Duke Energy Kentucky hereby requests, pursuant to KRS 278.018, that the Commission enter its order approving the service territory changes and Agreements allocating these electric services as agreed to by the parties.

Dated: August 31, 2023

Respectfully submitted,

DUKE ENERGY KENTUCKY, INC.

/s/Rocco D'Ascenzo

Rocco D'Ascenzo (92796)

Deputy General Counsel

Duke Energy Business Services LLC

139 E. Fourth St., 1303-Main

Cincinnati, Ohio 45202

Telephone: (513) 287-4320

Facsimile: (513) 370-5720

rocco.d'ascenzo@duke-energy.com

*Counsel for Duke Energy Kentucky, Inc.*

**Commonwealth of Kentucky**  
**Michael G. Adams, Secretary of State**

Michael G. Adams  
Secretary of State  
P. O. Box 718  
Frankfort, KY 40602-0718  
(502) 564-3490  
<http://www.sos.ky.gov>

**Certificate of Existence**

Authentication number: 296653

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 31<sup>st</sup> day of August, 2023, in the 232<sup>nd</sup> year of the Commonwealth.



*Michael G. Adams*

Michael G. Adams  
Secretary of State  
Commonwealth of Kentucky  
296653/0052929

PARTIES OF RECORD

Mr. David Wainscott  
Service Planner Supervisor  
Owen Electric Cooperative, Inc.  
8205 Hwy 127 North  
P.O. Box 400  
Owenton, KY 40359

Rocco D'Ascenzo  
Deputy General Counsel  
Duke Energy Business Services LLC  
139 E. Fourth Street  
Cincinnati, OH 45202

Mr. Bret Litmer  
Manager, Centralized Design  
Duke Energy Business Services LLC  
2010 Dana Avenue  
Cincinnati, OH 45207

**TERRITORIAL CHANGE INFORMATION**

Affected Property: Donegal Avenue, Union, Kentucky

Foreign Utility: Owen Electric Cooperative, Inc.

Quadrant Map: See Exhibit 4 of Application

Agreement Date: June 15, 2023  
(date of last signature)

1. **X** Utility signed copies of quadrant (Key) map showing revised territorial line with a note referencing the property/customer, and date of the territorial agreement. **(2 paper copies required for filing)**

2. **X** Utility signed copies of site map (Plat) and/or territorial agreement showing original and revised territorial boundary. **(2 paper copies needed for filing)**

The map must include coordinates accurate to within 3 meters for at least **four** points on the territorial line. It is preferable that these points include the beginning and ending points of the change. We also must provide the coordinate system used: This will be utilizing Global Positioning System (GPS) with the coordinates based upon WGS84.

3. **X** Copies of all written agreements (**1** needed – not original)

4. **X** Name of employee who would serve as Duke Energy Kentucky, Inc.’s witness if a hearing is required:  
Bret Litmer

5. **X** Name and mailing address of the foreign utility, and the name and title their official who is to receive the Commission Stamped quadrant map:

Owen Electric Cooperative, Inc.  
Attn: David Wainscott  
8205 Highway 127 North  
P.O. Box 400  
Owenton, Kentucky 40359

6. **X** The reason(s) for the boundary change (realignment with lot/property lines, closest utility (give details), it is the least cost of providing service to the customer(s), etc.):

Duke Energy Kentucky requests Owen Electric (Owen) be allowed to service lots in area labeled “Transferred to Owen Electric” in exchange that Duke Energy Kentucky be allowed to serve lots in area labeled “Transferred to Duke Energy” (see attached map).

7. How does this boundary change promote the purposes of KRS 278.016? (check all that apply)

- Promotes the orderly development of retail electric service
- Avoids wasteful duplication of facilities
- Avoids unnecessary encumbering of the landscape
- Prevents waste of materials and natural resources
- Is necessary for the public convenience and necessity
- Minimizes disputes between retail electric suppliers which may result in inconvenience, diminished efficiency, and higher cost to the consumer

8. Will any retail customer change electric supplier as the result of this boundary change?

No (Check this if no retail customers were receiving service in affected territory prior to the boundary change.)

Yes (If yes, provide the information on Attachment 1 for each customer affected.)

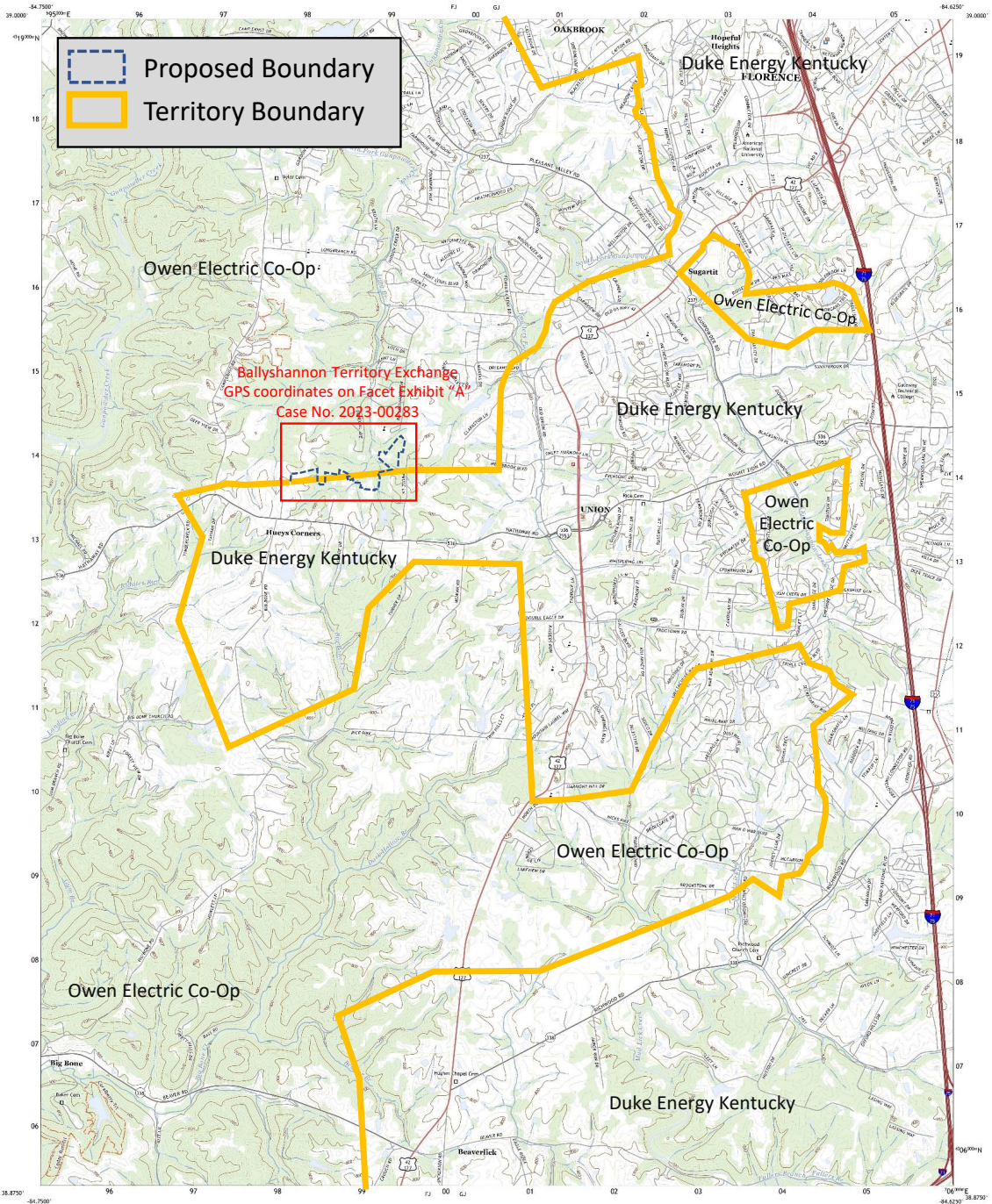




U.S. DEPARTMENT OF THE INTERIOR  
U.S. GEOLOGICAL SURVEY

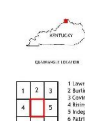
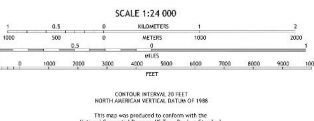


UNION QUADRANGLE  
KENTUCKY - BOONE COUNTY  
7.5-MINUTE SERIES



Produced by the United States Geological Survey  
North American Datum of 1983 (NAD83)  
North Coordinate System of 1983 (NAD83)  
1:000 METERS GRID LINES (METERS TO METERS) 2000 1000  
This map is not a legal document. It is provided for informational purposes only. It is not intended to be used for legal purposes. It is not intended to be used for legal purposes. It is not intended to be used for legal purposes.

Scale: 1:24,000  
Scale: 1:24,000  
Scale: 1:24,000



Duke Energy: *Bret Litman* 8/30/23  
Owen Electric: *[Signature]* 8/30/2023

UNION, KY  
2022



# Ballyshannon Subdivision Territory Exchange



OWEN ELECTRIC CO-OP

DUKE ENERGY

- Current Boundary
- New Boundary
- Parcels
- Transferred to Duke Energy
- Transferred to Owens Electric
- A See chart for coordinates

0.07 0.03 0 0.07 0.14 0.2 0.27  
Miles

Approved By: *[Signature]* Date: 3-4-22  
DEC.

Approved By: *[Signature]* Date: 3-9-22  
Duke Energy

SOURCE: ESRI, HERE, GOOGLE, TERRACON GEOGRAPHICS



<b>Letter</b>	<b>Latitude</b>	<b>Longitude</b>
A	38.951779172	-84.710758924
B	38.951538072	-84.710708436
C	38.951211829	-84.706172866
D	38.950689234	-84.706377761
E	38.950635781	-84.705642539
F	38.950575694	-84.705649644
G	38.950496737	-84.704565693
H	38.950522344	-84.704377141
I	38.950457379	-84.703891874
J	38.952310616	-84.703953355
K	38.952579300	-84.702152108
L	38.952663184	-84.701154570
M	38.954369189	-84.700967439
N	38.954329365	-84.700499165
O	38.955594988	-84.700386828
P	38.955868982	-84.700830341
Q	38.955670409	-84.701313684
R	38.954196501	-84.702851779
S	38.954347913	-84.703071869
T	38.954242710	-84.703593022
U	38.953718214	-84.703884851



Duke Energy  
1262 Cox Road  
Erlanger, KY 41018

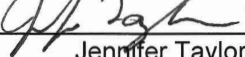
May 24<sup>th</sup>, 2023

Owen Electric  
Attn: Jennifer Taylor  
8205 Hwy 127 N. P.O. Box 400  
Owenton, KY 40359

Re: Ballyshannon Subdivision, Union, KY 41091 Service Territory Boundary Change

Mr. Randy Acklin (Fischer Homes) has requested electric service for a new development (Ballyshannon) located just North of Hathaway Road in Union Kentucky on the boarder of the Duke Energy Kentucky Service Territory and the Owen Electric Service Territory. This request has been evaluated by both Duke Energy and Owen Electric Engineering teams and they have determined that some revisions to the current Territory Boundary would benefit all parties involved. The attached land base drawings provide the details of the boundary change.

Duke Energy, Kentucky Inc. approves a service boundary change for the development (Ballyshannon). If you agree with the description of the above-mentioned Service Territory Boundary change, please have a copy of this letter (and land base drawing) signed, dated, and returned to me as authorization to proceed. This letter and accompanying drawing will then be submitted to the Utility Commission for a service territory boundary change.

APPROVED BY:   
Jennifer Taylor  
TITLE: VP of Engineering (OWEN ELECTRIC)  
DATE: 6/15/2023  
PHONE: 502-569-3569

APPROVED BY:   
Bret Litmer  
TITLE: Manager (DUKE ENERGY KENTUCKY)  
DATE: 6/15/23  
PHONE: 513-502-8622