

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE ELECTRONIC APPLICATION OF DUKE)	
ENERGY KENTUCKY, INC., FOR: 1) AN)	
ADJUSTMENT OF THE ELECTRIC RATES; 2))	CASE NO.
APPROVAL OF NEW TARIFFS; 3) APPROVAL)	2024-00354
OF ACCOUNTING PRACTICES TO ESTABLISH)	
REGULATORY ASSETS AND LIABILITIES;)	
AND 4) ALL OTHER REQUIRED APPROVALS)	
AND RELIEF.		

**DUKE ENERGY KENTUCKY, INC.’S UNOPPOSED MOTION TO EXCUSE
AND CONSOLIDATE CERTAIN WITNESSES AND REQUEST FOR
EXPEDITED TREATMENT**

I. INTRODUCTION

Comes now Duke Energy Kentucky, Inc. (Duke Energy Kentucky or Company), by counsel, in accordance with the Commission’s Order dated February 7, 2025, and pursuant to 807 KAR 5:001, Section 9, and other applicable law, and moves the Kentucky Public Service Commission (Commission) to excuse two witnesses from appearing in person at the upcoming May 21, 2025 evidentiary hearing and allow the substitution of a witness and consolidation of two data request responses for another witness (Motion). The Company submits that good cause exists to excuse two of its witnesses from appearing at the May 21, 2025 hearing in the interest of efficiency and avoiding duplication.

Duke Energy Kentucky filed its Application for an Adjustment of the Electric Rates and for Approval of New Tariffs (Application) on December 2, 2024. The Attorney General’s Office of Rate Intervention (AG), The Kroger Co. (Kroger), and Walmart, Inc.

(Walmart) intervened in the case and discovery was completed in April of 2025. The Commission entered an Order on February 7, 2025, that scheduled a hearing for May 21, 2025, at the Commission's offices in Frankfort, Kentucky.

Since the filing of the Company's Application, one of its witnesses has taken a new position within Duke Energy Corp. and no longer supports Duke Energy Kentucky. The Company requests to substitute, for this witness, the person who has since assumed and currently performs the same responsibilities. Additionally, the consolidation of a witness who only sponsored two data requests will reduce the number of witnesses, avoid duplication, reduce the expense of having the witness travel for multiple days of a hearing, and provide for a more efficient hearing.

II. REQUEST TO SUBSTITUTE WITNESS

Duke Energy Kentucky requests the Commission allow the substitution of Ms. Claire Hudson for that of Mr. Grady "Tripp" Carpenter. Since the filing of the Company's Application in early December 2024, Mr. Carpenter has taken a new position in Duke Energy Corp., no longer supports the financial forecasting function of Duke Energy Kentucky, and Ms. Claire Hudson has assumed Mr. Carpenter's Duke Energy Kentucky forecasting responsibilities. Duke Energy Kentucky proactively addressed this transfer of responsibilities through its submittal of rebuttal testimony on April 9, 2025, thereby putting all parties on notice of this change in personnel responsibilities.

As more fully explained in her rebuttal testimony,¹ Ms. Hudson has adopted the direct testimony, supporting schedules, and data request responses of Mr. Carpenter that were previously submitted in this proceeding. Ms. Hudson's rebuttal testimony sets forth

¹ Rebuttal Testimony of Claire Hudson, pp. 2-4 (Apr. 9, 2025).

her qualifications and acknowledges her review, agreement, and adoption of the information initially submitted by Mr. Carpenter. This substitution will allow a more efficient hearing insofar as it will avoid duplication of witnesses within areas of expertise and will avoid the additional costs of having Mr. Carpenter travel to Kentucky from North Carolina for a multiple-day hearing.

Consistent with the Commission's February 27, 2025 Order, the Company submits that good cause exists to excuse Mr. Carpenter from the May 21st evidentiary hearing and that Ms. Hudson be permitted to substitute for and adopt his testimony and data request responses.

III. CONSOLIDATION OF WITNESS

Duke Energy Kentucky further moves the Commission to allow an existing witness, Mr. John D. Swez, to adopt the discovery responses of Ms. Kimberly Hughes. Ms. Hughes did not file written testimony in this matter and responded only to two (2) questions² during the discovery phase. Throughout the case, the Company attempted to reasonably limit the number of new and additional witnesses needed for discovery responses, and when possible, consolidated areas of expertise in an effort to manage costs. At the time of the responding to the requests that were assigned to Ms. Hughes, however, the Company could not foresee whether additional fuel-related issues would arise and whether Ms. Hughes' specialized areas of expertise would be necessary at the hearing or to provide rebuttal testimony. Now, with the conclusion of discovery and the submittal of intervenor testimony, it is anticipated that Ms. Hughes would receive little, if

² Duke Energy Kentucky responses to the Attorney General's First Request for Information, Item 35 (Jan. 22, 2025) and Duke Energy Kentucky responses to the Attorney General's Second Request for Information, Item 23 (Feb. 26, 2025).

any, cross-examination of the issues she addressed. Further, Mr. Swez is knowledgeable in the matters for which Ms. Hughes previously provided discovery responses in this proceeding and is capable of adopting these responses. Should the Commission or any party have specific questions for Ms. Hughes that cannot be answered by Mr. Swez, the Company proposes addressing those questions through post-hearing data requests. Granting the motion will save expenses for the Company without impairing the ability of the Commission, Staff, the AG, Kroger, or Walmart to engage in meaningful cross-examination of the witnesses.

The Company has approached Intervening Parties with these requests to substitute and consolidate witnesses, and did not receive any objection. Due to the approaching May 21st hearing date, and the Commission's directive that the Company supply its proposed witness list seven (7) days prior to the hearing, Duke Energy Kentucky respectfully requests expedited treatment of its Motion.

WHEREFORE, Duke Energy Kentucky, Inc. respectfully requests the Commission to allow Mr. John D. Swez to adopt Ms. Kimberly Hughes' discovery responses, to allow Ms. Claire Hudson to adopt Mr. Tripp Carpenter's testimony, supporting schedules, and discovery responses, and to further excuse Ms. Hughes and Mr. Carpenter from participating in the May 21, 2025 hearing in the above-styled case.

Respectfully Submitted,

DUKE ENERGY KENTUCKY, INC.

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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 in paper medium; that the electronic filing was transmitted to the Commission on May 7, 2025; 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.³

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³*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).