

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE ELECTRONIC APPLICATION OF DUKE)	CASE NO.
ENERGY KENTUCKY, INC. TO AMEND ITS)	2025-00272
DEMAND SIDE MANAGEMENT PROGRAMS)	

DUKE ENERGY KENTUCKY, INC.’S APPLICATION FOR REHEARING

Comes now Duke Energy Kentucky, Inc. (Duke Energy Kentucky or the Company), by counsel, and petitions the Kentucky Public Service Commission (Commission) for rehearing, pursuant to KRS 278.400, of the Commission’s Order entered herein on January 14, 2026 (January Order).¹ Specifically, Duke Energy Kentucky seeks rehearing and clarification with respect to the Commission’s directives with regard to the following item:²

The proposed Energy Efficiency in Education Program is approved up to August 15, 2026, and shall be reevaluated for approval in Duke Kentucky’s next DSM filing.

While the Company has no objection to the Commission’s decision to approve the Energy Efficiency in Education Program (EEE Program) “temporarily,” and to “further assess[]” the EEE Program, the Company respectfully requests that, in order to permit the gathering of sufficient data for a fully informed assessment, the Commission grant rehearing on two aspects of its January Order relating to the EEE Program: (1) the date of the temporary approval, such that the temporary approval be extended through **June 30,**

¹ Final Order (Ky. P.S.C. Jan. 14, 2026) (January Order).

² See *id.*, p. 11.

2028, instead of August 15, 2026; and (2) the timing of the reevaluation of the EEE Program.

In support of this Application for Rehearing, Duke Energy Kentucky states as follows:

I. BACKGROUND

On August 15, 2025, Duke Energy Kentucky filed its Application in this case, requesting approval to modify its Demand-Side Management (DSM) programs. Within its Application, among other things, the Company requested to begin offering the EEE Program.³

A hearing on this matter was not conducted and the Commission issued the January Order on January 14, 2026, stating as follows regarding the EEE Program:

The Commission finds that the Energy Efficiency in Education program should be approved, temporarily, and will be further assessed for implementation in Duke Kentucky's next DSM filing. To facilitate the additional assessment of the Energy Efficiency in Education program, Duke Kentucky should provide the participation levels of the program, an updated forecasted budget, and cost-effectiveness scores.⁴

Subsequently, in Ordering Paragraphs 2 and 3, the Commission stated:

2. The proposed Energy Efficiency in Education Program is approved up to August 15, 2026, and shall be reevaluated for approval in Duke Kentucky's next DSM filing.

3. Duke Kentucky shall provide the participation levels, an updated forecasted budget, and cost-effectiveness scores of the Energy Efficiency in Education program in its next DSM filing to further assess the program for implementation.⁵

³ Application, pp. 4, 7-9 (Aug. 15, 2025).

⁴ January Order, p. 10.

⁵ *Id.*, p. 11.

In this Application for Rehearing, the Company respectfully requests that the Commission grant rehearing on (1) the date of the temporary approval, such that the temporary approval be extended through June 30, 2028, instead of August 15, 2026; and (2) the timing of the reevaluation of the EEE Program.

II. ARGUMENT

Duke Energy Kentucky appreciates the Commission’s grant of temporary approval to the EEE Program and does not object to the Commission’s desire to obtain additional information “to further assess the program for implementation.”⁶ However, Duke Energy Kentucky respectfully requests that the Commission grant rehearing on both the duration of the temporary approval and the timing of its reevaluation, in order to permit the Commission to consider more data prior to making a further assessment regarding the EEE Program.

First, Duke Energy Kentucky respectfully requests that the Commission grant rehearing, such that the temporary approval of the EEE Program be through June 30, 2028, instead of August 15, 2026 as in the January Order, to permit the EEE Program to run for long enough to provide the Commission with representative and sufficient data to reassess the EEE Program on the basis of data available in August and November of 2027, and render a decision prior to the end of the approval period. The Company’s next DSM filing is not until August 15, 2026, and in recent years the Commission has issued its orders on the Company’s August DSM filings sometime between the following November and January.⁷ Thus, under the January Order, the Company will not know until sometime

⁶ January Order, p. 11.

⁷ See, e.g., *id.*; *In the Matter of the Electronic Application of Duke Energy Kentucky, Inc. to Amend its Demand Side Management Programs*, Case No. 2024-00264, Final Order (Ky. P.S.C. Dec. 30, 2024); *In the Matter of the Electronic Application of Duke Energy Kentucky, Inc. to Amend its Demand Side Management*

between November 2026 and January 2027 whether it will be able to recover for EEE Program costs. Given that uncertainty, the Company will have to stop running the EEE Program as of August 15, 2026, which will only permit a very brief amount of time to gather information on the program's performance. August 15, 2026, is only seven months from the date of the January Order, and it will take the Company some time to begin implementing the program. With the August 15, 2026 expiration of approval, the program will operate for considerably less than seven months.

This shorter actual window for program operation will also be exacerbated by the program's operational reliance on schools being in session, meaning that the program will effectively not be operational for the last two months of the temporary approval window. Extending program approval to June 30, 2028, will provide the Commission with an entire complete school year's worth of data (2026-2027 school year) in the Company's August and November 2027 filings, with increased participation and robust data to assess cost effectiveness. This timing aligns with fiscal year filings and true-up updates in the November 1, 2027, and 2028 status reports. Approval through June 30, 2028 will allow the Company to run the program consistently with the fiscal year and will eliminate the need for repeated stops and starts in the program administration. If the Commission grants rehearing on this point, the Company will report participation and program performance on August 15 of 2026, 2027, and 2028, and will seek approval to continue the program in its August 15, 2027 filing.

Programs, Case No. 2023-00269, Final Order (Ky. P.S.C. Nov. 20, 2023); *In the Matter of the Electronic Application of Duke Energy Kentucky, Inc. to Amend its Demand Side Management Programs*, Case No. 2021-00313, Final Order (Ky. P.S.C. Dec. 22, 2021).

Second, Duke Energy Kentucky respectfully requests that the Commission make its decision on whether to continue the EEE Program on the basis of data submitted with the Company's August 15, 2027 program extension request and November 1, 2027, annual DSM true-up filings, rather than on the basis of data submitted with the Company's August 15, 2026, DSM filing. Although the Company has no objection to submitting the data ordered by the Commission (participation levels of the program, an updated forecasted budget, and cost-effectiveness scores) in its August 15, 2026 filing, and in subsequent November and August filings, the Company believes that the data available as of August 2026 will reflect an extremely short operating period that will not be sufficient for the Commission to make an informed assessment of the program. The Company therefore proposes that it submit the most recent available data with both its August 2026 and November 2026 filings and all subsequent filings.

In addition to the rehearing items above, Duke Energy Kentucky respectfully wishes to note that its currently pending DSM filing in Case No. 2025-00359, includes in its proposed budget amounts necessary for the EEE Program to run through June 30, 2027.

III. CONCLUSION

WHEREFORE, on the basis of the foregoing, Duke Energy Kentucky respectfully requests that the Commission grant rehearing of the January Order in accordance with the discussion above.

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 February 3, 2026; 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.⁸

/s/ Larisa M. Vaysman
_____ *Counsel for Duke Energy Kentucky, Inc.*

⁸ *In the Matter of Electronic Emergency Docket Related to the Novel Coronavirus COVID-19*, Case No. 2020-00085, Order (July 22, 2021).