

**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	)	

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**DUKE ENERGY KENTUCKY, INC.’S MOTION FOR LEAVE TO FILE  
INSTANTER AND ITS REPLY COMMENTS**

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Comes now Duke Energy Kentucky, Inc. (Duke Energy Kentucky or the Company), and hereby respectfully moves the Kentucky Public Service Commission (Commission) for leave to file, Instanter, its Reply Comments to the Attorney General’s Comment of September 22, 2025 (Comment) in the above-styled proceeding. In support of its Motion, Duke Energy Kentucky respectfully states as follows:

**I. MEMORANDUM IN SUPPORT**

On September 12, 2025, the Commission issued an Order in the above-styled proceeding setting forth a procedural schedule (Order). The Order, in relevant part, provided the following opportunities for intervention and submitting intervenor testimony to the Company’s filing:

- Last day for intervention requests to be accepted .....09/19/2025
- Intervenor testimony, if any, in verified prepared  
form shall be filed no later than .....11/24/2025

Thus, the Order provided intervening Parties an opportunity to intervene and file testimony on the Company’s Application in the above-styled proceeding. However, the Order did not afford the Company a reciprocal opportunity to respond to any comments

filed by a Party electing not to intervene.

The Attorney General did not file a Motion to Intervene on or before September 19, 2025. Rather they elected to file only the Comment on September 22, 2025. Duke Energy Kentucky does not object to the Attorney General's filing the Comment in this proceeding. However, the Company does respectfully request an opportunity to respond to the Attorney General's concerns through the Reply Comments attached hereto. Duke Energy Kentucky respectfully submits that it is in the public interest to permit the filing of its Reply Comments, which are submitted here well in advance of the January 22, 2026, deadline for requesting a hearing or submitting a request for the matter to be decided on the record. Permitting the filing of the Reply Comments will allow the Commission to fully consider all relevant facts pertaining to the Company's Application in this proceeding.

## **II. REPLY COMMENTS**

The Attorney General's Comment addresses one specific issue in the Company's Application in this proceeding. Specifically, the Attorney General expresses "skept[ic]ism of the benefit" of the Company's proposed addition of the Energy Efficiency in Education Program to its suite of energy efficiency and demand response (EE/DSM) programs,<sup>1</sup> and contends that "[t]he Commission was correct in eliminating the program in 2018 and circumstances have not changed to justify restarting the program."<sup>2</sup> Respectfully, the Attorney General is mistaken regarding both the nature of the program and its potential benefits.

First, the program proposed to be added is not the same program that was offered prior to 2018. As explained in the Company's response to the Commission Staff's Second

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<sup>1</sup> Comment, p. 2 (Sept. 22, 2025).

<sup>2</sup> *Id.*

Request for Information, Item 1, the currently proposed program differs from the previously offered program in the following important ways:

- Expansion of the program from K-8 to K-12;
- Offering only the theatrical component and eliminating the classroom curriculum component previously offered, which reduces costs and improves cost-effectiveness;
- Change in vendor, contributing to decreased implementation costs and thereby improving cost-efficiency; and
- Offering a secondary kit of measures.

For these reasons, the Company believes that there are considerable benefits to the proposed program and its addition should be approved.

### **III. CONCLUSION**

WHEREFORE, for the foregoing reasons, Duke Energy Kentucky respectfully requests the Commission approve the Company's request to file its Reply Comments, Instante, and approve its Application in this proceeding.

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 December 11, 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.<sup>3</sup>

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<sup>3</sup> *In the Matter of Electronic Emergency Docket Related to the Novel Coronavirus COVID-19*, Case No. 2020-00085, Order (July 22, 2021).