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Dianne B Kuhnell
Senior Paralegal

VIA OVERNIGHT DELIVERY

January 16, 2009

RECEIVED

JAN 20 2009

**PUBLIC SERVICE
COMMISSION**

Mr. Jeff Derouen
Executive Director
Kentucky Public Service Commission
211 Sower Blvd
Frankfort, KY 40601

Re: Case No. 2008-00495

Dear Mr. Derouen:

Enclosed please find an original and twelve copies each of the Motion to Admit Catherine E. Heigel *Pro Hac Vice* in the above captioned case.

We are requesting expedited treatment of this Motion as Ms. Heigel would like to appear at the January 26, 2009 Informal Conference scheduled in this case.

Please date-stamp the extra two copies of the filing and return to me in the enclosed envelope.

Sincerely,

Dianne B. Kuhnell
Senior Paralegal

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of the Application of Duke)
Energy Kentucky, Inc. For Approval of)
Energy Efficiency Plan, Including an Energy) Case No. 2008-495
Efficiency Rider and Portfolio of)
Energy Efficiency Programs)

MOTION TO ADMIT CATHERINE E. HEIGEL PRO HAC VICE

Amy B. Spiller, an attorney licensed to practice in the Commonwealth of Kentucky, hereby moves the Commission to admit Catherine E. Heigel to practice law before the Commission *pro hac vice*, on behalf of Duke Energy Kentucky, Inc. (“Duke Energy Kentucky”), in the above-captioned proceeding.

Catherine E. Heigel is Regulatory Counsel, employed by Duke Energy Business Shared Services, Inc., a subsidiary of Duke Energy Corporation. Applicant’s business address is 526 South Church Street, Charlotte, North Carolina 28203. Further, Catherine E. Heigel having been admitted in 1996, is a member in good standing with the bar of the state of North Carolina, Registration No. 23162; admitted in 1996, is a member in good standing with the bar of South Carolina, Registration No. 9268, admitted in 1997, is a member in good standing with the bar of the state of Georgia, Registration No. 343472 and admitted in 2003, is a member in good standing with the bar of the state of Ohio, Registration No. 0075816 and has never been suspended, disbarred or resigned as a result of disciplinary charge, investigation, or proceeding from the practice of law in any jurisdiction. No disciplinary proceeding has ever been filed against Catherine E. Heigel nor is any presently pending against her in any jurisdiction. In connection with this proceeding, Catherine E. Heigel agrees to be subject to the rules of the

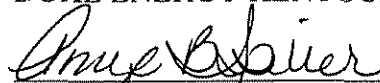
Commission and the Kentucky Bar Association. An affidavit executed by Catherine E. Heigel attesting to these facts is attached hereto.

Furthermore, attached please find the original Kentucky Bar Association Out-Of-State Certification on behalf of Catherine E. Heigel, indicating Catherine E. Heigel's compliance with Supreme Court Rule 3.030(2), and the attached Affidavit of Catherine E. Heigel.

WHEREFORE, Duke Energy Kentucky, through counsel, specifically requests the Commission to grant its motion to allow Catherine E. Heigel to appear and practice before it in the above-entitled matter *pro hac vice*.

Respectfully submitted,

DUKE ENERGY KENTUCKY, INC.



Amy B. Spiller (85309)

Assistant General Counsel

Duke Energy Kentucky, Inc.

139 East Fourth Street, Rm 25 ATII

Cincinnati, Ohio 45201-0960

Phone: (513) 419-1810 /Fax: (513) 419-1846

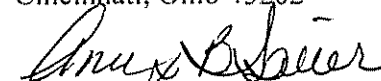
e-mail: amy.spiller@duke-energy.com

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Motion to Admit Catherine E. Heigel *Pro Hac Vice* was sent by overnight mail to the following this 10th day of January 2009.

Dennis G. Howard II
Paul Adams
Assistant Attorneys General
1024 Capital Center Drive, Suite 200
Frankfort, Kentucky 40601-8204

Michael L. Kurtz, Esq,
Kurt J. Boehm, Esq
BOEHM, KURTZ & LOWRY
36 East Seventh Street, Suite 1510
Cincinnati, Ohio 45202


Amy B. Spiller

AFFIDAVIT OF CATHERINE E. HEIGEL

State of North Carolina)
) SS:
County of Mecklenburg)

Comes now Catherine E. Heigel, employed by Duke Energy Business Services, Inc., and does hereby attest as follows:

(1) I submit this Affidavit to the Kentucky Public Service Commission in connection with my request to be admitted to practice Pro Hac Vice before the Commission in Case No. 2008- 495.

(2) I was admitted to the bar of the State of North Carolina in 1996, Registration No. 23162, the State of South Carolina in 1996, Registration No. 9268, the State of Georgia in 1997, Registration No. 343472 and the State of Ohio in 2003, Registration No. 0075816, I am a member in good standing with the bars of those states, and have never been suspended, disbarred or resigned as a result of disciplinary charge, investigation, or proceeding from the practice of law in any jurisdiction. No disciplinary proceedings have ever been filed against me, nor are any presently pending against me in any jurisdiction. Although Applicant is a member of the bar in the State of Georgia, she has never had an active practice in the state and has never appeared before any Georgia tribunal, which is a prerequisite to the issuance of a letter of good standing.

(3) I agree to be subject to the rules of the Commission and the Kentucky Bar Association in connection with the proceedings before the Public Service Commission in Case No. 2008-495. In accordance with Supreme Court Rule 3.030(2), I agree to have a

member of the Kentucky Bar Association present with me as co-counsel during the hearing in Case No. 2008- 495 and at all other times required by the Commission.

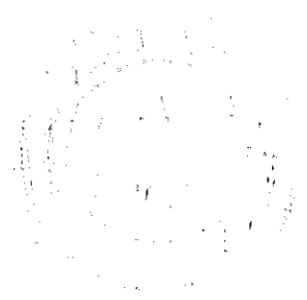
(4) I have complied with Supreme Court Rule 3.030(2), and hereby attach a copy of the Kentucky Bar Association Out-Of-State Certification provided by the Kentucky Bar Association to me for this proceeding.

Catherine E. Heigel
Catherine E. Heigel

Sworn and subscribed before me by Catherine^{5A} E. Heigel on this 15 day of January 2009.

Selene Deudraes
Notary Public

My Commission Expires: 4-26-2011



KENTUCKY BAR ASSOCIATION

514 WEST MAIN STREET
FRANKFORT, KENTUCKY 40601-1812

(502) 564-3795

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www.kybar.org



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KENTUCKY BAR ASSOCIATION OUT-OF-STATE CERTIFICATION FORM

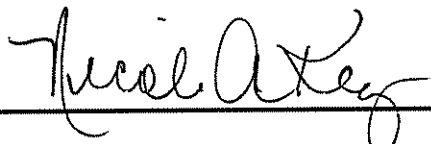
COURT Kentucky Public Service Commission

CASE NO. 2008-00495

SCR 3.030 Membership, practice by nonmembers and classes of membership

(2) A person admitted to practice in another state, but not in this state, shall be permitted to practice a case in this state only if that attorney subjects himself or herself to the jurisdiction and rules of the court governing professional conduct, pays a per case fee of \$100.00 to the Kentucky Bar Association and engages a member of the association as co-counsel, whose presence shall be necessary at all trials and at other times when required by the court. No motion for permission to practice in any state court in this jurisdiction shall be granted without submission to the admitting court of a certification from the Kentucky Bar Association of receipt of this fee.

The Kentucky Bar Association certifies that Catherine E. Heigel has
paid the per case fee of \$100.00 in the above referenced case as required in SCR 3.030(2).



Nicole A. Key, Deputy Registrar