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Commonwealth of Kentucky
Public Service Commission
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David L. Armstrong
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James Gardner
Vice-Chairman

John W. Clay
Commissioner

December 11, 2008

Rocco O D'Ascenzo
Duke Energy Kentucky, Inc.
139 East Fourth Street, EX 400
Cincinnati, OH 45202

RE: Case No. 2008-00504
Duke Energy Kentucky, Inc.
(Financing)

The Commission staff has reviewed Duke Energy Kentucky Inc.'s application in the above case and finds that it meets the minimum filing requirements. Enclosed please find a stamped filed copy of the first page of your filing. This case has been docketed and will be processed as expeditiously as possible.

If you need further assistance, please contact my staff at 502-564-3940.

Sincerely,

A handwritten signature in black ink that reads "Ryan Gatewood".

Ryan Gatewood
Filings Division Director

RG/rs
Enclosure

RECEIVED

DEC 08 2008

PUBLIC SERVICE COMMISSION

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION **FILED**

DEC 08 2008

In the Matter of the Application of Duke Energy)
Kentucky, Inc. for an Order to Enter into up to)
\$25,000,000 Principal Amount of Capital Lease)
Obligations)

PUBLIC SERVICE)
Case No. 2008-COMMISSION)

APPLICATION FOR CAPITAL LEASE AUTHORITY

Pursuant to KRS 278.300 and 807 KAR 5:001 Sections 8 and 11, Duke Energy Kentucky, Inc. ("Duke Energy Kentucky") respectfully requests that the Commission authorize Duke Energy Kentucky to issue capital leases, and enter into all necessary agreements and other documents relating thereto, as more fully described herein. In support of this Application, Duke Energy Kentucky states as follows:

1. **Address:** Duke Energy Kentucky is a Kentucky corporation with its principal place of business at 1697A Monmouth Street, Newport Shopping Center, Newport, Kentucky 41071. Duke Energy Kentucky's principal executive office is 139 East Fourth Street, Cincinnati, Ohio 45202.

2. **Articles of Incorporation:** Pursuant to 807 KAR 5:001, Section 8(3), Duke Energy Kentucky states that a certified copy of its Articles of Incorporation, as amended, on file with this Commission in Case No. 2006-563 and is hereby incorporated by reference.

3. **Statement of Business:** Duke Energy Kentucky is a utility as defined in KRS 278.010(3)(a) and (b), engaged in providing retail gas and electric services to its