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Dianne B. Kuhnell
Senior Paralegal

VIA OVERNIGHT DELIVERY

March 13, 2009

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

RECEIVED

MAR 16 2009

**PUBLIC SERVICE
COMMISSION**

Re: Case No. 2009-00026

Dear Mr. Derouen:

Enclosed please find for filing an original and twelve copies of Duke Energy's First set of Interrogatories, Request for Production of Documents and Requests for Admissions Propounded to Chris Wiseman.

Please file stamp the extra copy of this letter provided and return in the enclosed return envelope.

Sincerely,

Dianne B. Kuhnell
Senior Paralegal

cc: Parties of Record

BEFORE THE PUBLIC SERVICE COMMISSION

In the matter of:)
)
Chris Wiseman) Case No. 2009-00026
)
Complainant)
)
v.)
)
Duke Energy Kentucky, Inc.)
)
Respondent)

**DUKE ENERGY KENTUCKY, INC.'S FIRST SET OF INTERROGATORIES,
REQUEST FOR PRODUCTION OF DOCUMENTS, AND REQUESTS FOR
ADMISSION PROPOUNDED TO COMPLAINANT CHRIS WISEMAN**

Now comes Respondent Duke Energy Kentucky, Inc., and addresses the following First Set of Interrogatories to Complainant Chris Wiseman. Pursuant to the Commission's March 05, 2009 Order, Complainant's responses are due no later than March 30, 2009.

I. DEFINITIONS AND INSTRUCTIONS

1. With respect to each discovery request, all information is to be divulged which is within the knowledge, possession or control of the parties to whom it is addressed, including their agents, employees, attorneys and/or investigators.
2. Where an interrogatory calls for an answer in more than one part, each part should be separated in the answer so that the answer is clearly understandable.
3. All answers must be separately and fully stated in writing under oath.
4. For purpose of these discovery requests, the following terms shall have meanings set forth below:
 - (a) As used herein, "document", documentation and/or "record", whether stated as the singular or the plural, means any course of binders, book, pamphlet, periodical, letter, correspondence, memoranda, including but not limited to, any memorandum or report of a meeting or telephone or other conversation, invoice, account, credit memo, debit memo, financial statement, general ledger, ledger, journal, work papers, account work papers, report, diary, telegram, record, contract, agreement, study, draft,

telex, handwritten or other note, sketch, picture, photograph, plan, chart, paper, graph, index, tape, data processing card, data processing disc, data cells or sheet, check acceptance draft, e-mail, studies analyses, contracts, estimates, summaries, statistical statements, analytical records, reports and/or summaries of investigations, opinions or reports of consultants, opinions or reports of accountants, trade letter, comparisons, brochures, pamphlets, circulars, bulletins, notices, forecasts, electronic communication, printouts, all other data compilations from which information can be obtained (translated if necessary by defendants into usable form), and preliminary versions, drafts or revisions of any of the foregoing, and/or any other written, recorded, transcribed, punched, taped, filmed or graphic matter, however produced or reproduced and regardless of origin or location, in the possession, custody and/or control of the defendant and/or their agents, accountants, employees, representatives and/or attorneys. "Document" and "record" also mean all copies of documents by whatever means made, if the copy bears any other markings or notations not found on the original.

- (b) The terms "relating to", "referring to", "referred to", "pertaining to", "pertained to" and "relates to" means referring to, reporting, embodying, establishing, evidencing, comprising, connected with, commenting on, responding to, showing, describing, analyzing, reflecting, presenting and/or constituting and/or in any way involving.
- (c) The terms "and", and "and/or" within the meaning of this document shall include each other and shall be both inclusive and disjunctive and shall be construed to require production of all documents, as above-described, in the broadest possible fashion and manner.
- (d) The term "Complainant" shall mean Chris Wiseman. The term "Complainant" shall also include, but is not limited to, each and every agent, employee, servant, insurer and/or attorney of the Complainant. The term "you" shall be deemed to refer to Complainant.
- (e) The term "Respondent" shall mean Duke Energy Kentucky, Inc., its subsidiaries, principals and employees, agents, officers, directors and representatives.

To "identify" shall mean:

5. With respect to a document, to state its data, its author, its type (for example, letter, memorandum, chart, photograph, sound reproduction, etc.), its subject matter, its present location and the name of its present custodian. The document may be produced in lieu of supplying the foregoing information. For each document which contains information as privileged or otherwise excludable from discovery, there shall be included a statement as to the basis for such claim of privilege or other grounds for exclusion.

6. With regard to a natural person, to state his or her full name, last known employer or business affiliation, title and last known home address.

7. With regard to a person other than a natural person, state the title of that person, any trade name, or corporate name or partnership name used by that person, and the principal business address of that person.

8. To “produce” or to “identify and produce”, shall mean that Complainant shall produce each document or other requested tangible thing. For each tangible thing which Complainant contends are privileged or otherwise excludable from discovery, there shall be included a statement as to the basis for such claim of privilege or other grounds for exclusion.

9. The term “incident” or “incidents” shall be deemed to refer to the incident or incidents described in the filing as alleged in Complainant’s Complaint.

INTERROGATORY NO. 1

Please identify by device name, manufacturer, model number, and energy rating, all natural gas consuming appliances, equipment, or other devices currently at the premises located at 32 Avenel Place, Ft. Thomas, Ky. 41075.

ANSWER:

INTERROGATORY NO. 2

Please identify by device name, manufacturer, model number, and energy rating all natural gas consuming appliances, equipment, or other devices that were on the premises located at 32 Avenel Place when natural gas service was initiated on March 30, 2006.

ANSWER:

INTERROGATORY NO. 3

Please identify any and all natural gas appliances removed and/or installed at 32 Avenel Place since March 30, 2006.

ANSWER:

INTERROGATORY NO. 4

Please provide the exact date the natural gas appliances identified above were removed or installed.

ANSWER:

INTERROGATORY NO. 5

Please provide any and all maintenance and repair records including vendor names, invoices, estimates, for all natural gas consuming equipment identified in the preceding Interrogatories.

ANSWER:

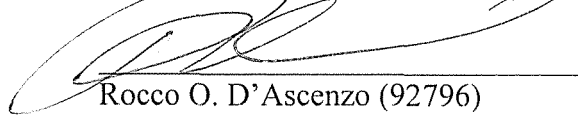
INTERROGATORY NO. 6

Please provide any and all manuals and manufacturer specifications for all the natural gas consuming equipment identified in the proceeding Interrogatories

ANSWER:

Respectfully submitted,

~~DUKE ENERGY KENTUCKY, INC.~~



Rocco O. D'Ascenzo (92796)

Senior Counsel

Amy B. Spiller (85309)

Associate General Counsel

Duke Energy Kentucky, Inc.

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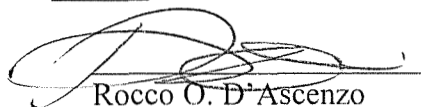
Phone: (513) 419-1852

Fax: (513) 419-1846

Email: rocco.d'ascenzo@duke-energy.com

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing Interrogatories have been served via overnight mail to the following party on this 13 day of March 2009



Rocco O. D'Ascenzo

Chris Wiseman
32 Avenel Place
Ft. Thomas, KY 41075