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Dianne B. Kuhnell
Senior Paralegal

VIA OVERNIGHT DELIVERY

February 18, 2010

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

RECEIVED

FEB 19 2010

**PUBLIC SERVICE
COMMISSION**

Re: Case No. 2009-00509

Dear Mr. Derouen:

Enclosed please find an original and twelve copies each of the Motion to Admit Jeanne W. Kingery *Pro Hac Vice* in the above captioned case. We have attached the original and copies of Ms. Kingery's Affidavit and the Kentucky Bar Association Out-of-State Certification Form to each.

We are requesting expedited treatment of this Motion as Ms. Kingery would like to appear at the March 23, 2009 Hearing 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

KENTUCKY BAR ASSOCIATION

514 WEST MAIN STREET
FRANKFORT, KENTUCKY 40601-1812

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KENTUCKY BAR ASSOCIATION OUT-OF-STATE CERTIFICATION FORM

COURT Kentucky Public Service Commission CASE NO. 2009-00509

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 Jeanne W. Kingery has paid the per case fee of \$100.00 in the above referenced case as required in SCR 3.030(2).

A handwritten signature in cursive script that reads 'Nicole A. Key'. The signature is written in black ink and is positioned above a horizontal line.

Nicole A. Key, Deputy Registrar

COMMONWEALTH OF KENTUCKY

BEFORE THE KENTUCKY PUBLIC SERVICE COMMISSION

In the Matter of An Examination of the Application) Case No. 2009-00509
Of the Fuel Adjustment Clause of Duke Energy Kentucky, Inc.)
From May 1, 2009 through October 31, 2009)

MOTION TO ADMIT JEANNE W. KINGERY PRO HAC VICE

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

Jeanne W. Kingery is Senior Counsel, employed by Duke Energy Business Services, Inc., a subsidiary of Duke Energy Corporation. Applicant’s business address is 155 W. Broad Street, 21st Floor, Columbus, Ohio 43215. Further, Jeanne W. Kingery having been admitted on November 6, 1981, is a member in good standing with the bar of the state of Ohio, Registration No. 0012172 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 Jeanne W. Kingery nor is any presently pending against her in any jurisdiction. In connection with this proceeding, Jeanne W. Kingery agrees to be subject to the rules of the Commission and the Kentucky Bar Association. An affidavit executed by Jeanne W. Kingery attesting to these facts is attached hereto.

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

WHEREFORE, Duke Energy Kentucky, through counsel, specifically requests the Commission to grant its motion to allow Jeanne W. Kingery 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

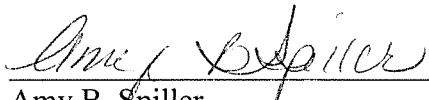
Phone: (513) 419-1810 /Fax: (513) 419-1846

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

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Motion to Admit Jeanne W. Kingery *Pro Hac Vice* was sent by overnight mail to the following this 18th day of February 2010.

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


Amy B. Spiller

AFFIDAVIT OF JEANNE W. KINGERY

State of Ohio)
)
County of Hamilton)

SS:

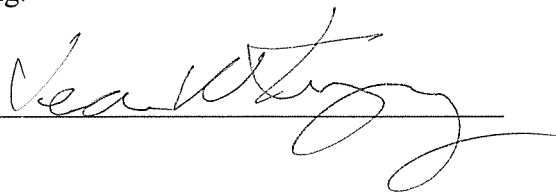
Comes now Jeanne W. Kingery, employed by Duke Energy Business Services, Inc., and does hereby attest as follows:

(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. 2009-00509.

(2) I was admitted to the bar of the State of Ohio in 1981, Registration No. 0012172, I am a member in good standing with the bar of this state, 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.

(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. 2009-00509. 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. 2009-00509 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.



Sworn and subscribed before me by Jeanne W. Kingery on this 12th day of FEBRUARY 2010.

Anita M. Schaffer
Notary Public

My Commission Expires:



ANITA M. SCHAFER
Notary Public, State of Ohio
My Commission Expires
November 4, 2014