

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

DUKE ENERGY KENTUCKY, INC.'S)	CASE NO.
ANNUAL COST RECOVERY FILING FOR)	2015-00368
DEMAND SIDE MANAGEMENT)	

ORDER

Duke Energy Kentucky, Inc. ("Duke") has requested a deviation from 807 KAR 5:001, Section 17(2)(b)(3), which requires a utility to publish notice of a general rate adjustment once a week for three consecutive weeks. Duke states that it directed each of the seven newspapers in its service territory to publish the requisite notice once a week for three consecutive weeks. Of the seven newspapers, only The Kentucky Enquirer is a daily newspaper, and it also encompasses Duke's entire Kentucky service territory. Duke states that The Kentucky Enquirer failed to publish the third notice. It also states that the Boone County Recorder published the first and third, but not the second notice.

Duke states that it attempted, in good faith, to comply with the regulations pertaining to publishing notice, but that The Kentucky Enquirer and the Boone County Recorder mistakenly failed to publish the notices as requested. Duke therefore requests a deviation from the publication requirement as a result of the two publishing omissions.

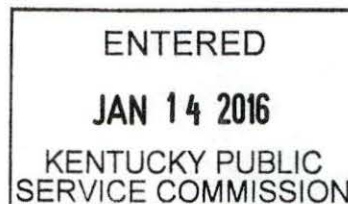
Having considered Duke's motion, the Commission finds that Duke has demonstrated that the omission in publishing three consecutive notices in all the requested newspapers was not caused through any fault of Duke. The Commission

therefore finds good cause to grant Duke's motion in part and permit a deviation from the requirement to publish three consecutive notices. However, Duke has not demonstrated adequate justification to grant a deviation from publishing the two omitted notices. Accordingly, the Commission finds that Duke should publish one additional notice in The Kentucky Enquirer and in the Boone County Recorder.

IT IS THEREFORE ORDERED as follows:

1. Duke's motion to deviate from 807 KAR 5:001, Section 17(2)(b)(3), is granted in part and denied in part.
2. Duke's motion to deviate from the requirement to publish three consecutive notices of its rate adjustment is granted.
3. Duke's motion to deviate from the requirement to publish the second of three notices in the Boone County Recorder and the third notice in The Kentucky Enquirer is denied.
4. Duke shall publish notice of its rate change one additional time in The Kentucky Enquirer and in the Boone County Recorder.

By the Commission



ATTEST:



Executive Director

Case No. 2015-00368

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