

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC ANNUAL COST RECOVERY)	
FILING FOR DEMAND SIDE MANAGEMENT BY)	CASE NO.
DUKE ENERGY KENTUCKY, INC.)	2017-00427

ORDER

On May 8, 2018, Duke Energy Kentucky (“Duke Kentucky”) filed with the Commission a motion requesting approval to deviate from ordering paragraph 2 of the Commission’s Order dated May 2, 2018, (“May 2, 2018 Order”) relating to a newspaper publication of a hearing notice. In the May 2, 2018 Order, the Commission scheduled a hearing in this proceeding and required Duke Kentucky to give notice of the hearing in accordance with 807 KAR 5:001, Section 9(2)(b) no later than May 15, 2018. Duke Kentucky states that it is unable to meet the requirement to publish notice by May 15, 2018, due to the weekly nature of many of the newspapers that it must use to publish the hearing notice. In addition, Duke Kentucky states that before it could request publication from the newspapers, it needed to first verify the availability of witnesses and make changes to its attorneys’ schedules to be certain it could meet the May 22, 2018 hearing date. Otherwise, Duke Kentucky would have requested a continuance of the May 22, 2018 hearing.

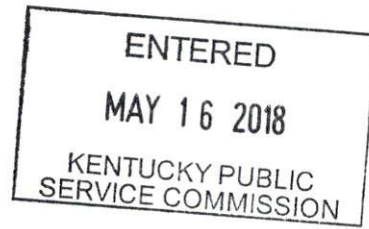
According to Duke Kentucky’s motion, the hearing notice is scheduled for newspaper publication as follows: the Boone, Campbell, and Kenton County Recorders on May 17, 2018; the Falmouth Outlook on May 15, 2018; the Gallatin County News on

May 16 2018; the Grant County News on May 17, 2018; and the Kentucky Enquirer on May 14, 2018. Duke Kentucky states that of these seven newspapers, only The Kentucky Enquirer is a daily newspaper. The other six newspapers publish only once a week, but collectively cover the same counties as the Kentucky Enquirer, according to Duke Kentucky.

Having reviewed the motion and being otherwise sufficiently advised, the Commission finds that the anticipated publication dates will allow Duke Kentucky to substantially comply with the publication of notice requirements in the Commission's May 2, 2018 Order and 807 KAR 5:001, Section 9(2)(b)(2). That regulation requires newspaper notice to be published not less than seven days prior to the date of the hearing. Since notice will be published seven days prior to the hearing in a daily newspaper that covers the same counties as the weekly newspapers, Duke Kentucky has shown good cause to deviate from the requirements set forth in the May 2, 2018 Order and the regulation.

IT IS THEREFORE ORDERED that Duke Kentucky's motion to deviate from the notice requirements of the May 2, 2018 Order and 807 KAR 5:001, Section 9(2)(b)(2), is granted.

By the Commission



ATTEST:


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