

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF DUKE ENERGY)
KENTUCKY, INC. FOR A CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY TO)
CONVERT ITS WET FLUE GAS)
DESULFURIZATION SYSTEM FROM A)
QUICKLIME REAGENT PROCESS TO A)
LIMESTONE REAGENT HANDLING SYSTEM AT)
ITS EAST BEND GENERATING STATION AND)
FOR APPROVAL TO AMEND ITS)
ENVIRONMENTAL COMPLIANCE PLAN FOR)
RECOVERY BY ENVIRONMENTAL SURCHARGE)
MECHANISM)

CASE NO.
2024-00152

ORDER

On July 25, 2024, Duke Energy Kentucky, Inc. (Duke Kentucky), pursuant to KRS 278.020, KRS 278.183, and 807 KAR 5:001 submitted an application to amend its Environmental Compliance Plan (Compliance Plan), to grant Duke Kentucky authority to recover the costs associated with its Compliance Plan amendment through its existing environmental surcharge, and for issuing a Certificate of Public Convenience and Necessity (CPCN) for the construction and conversion of its existing Wet Flue Gas Desulfurization (WFGD) from a quicklime handling process to a limestone handling process to continue to meet existing environmental regulations.

The Commission established a procedural schedule by Order dated August 9, 2024, that set out dates for timely and orderly processing of the case. On November 1, 2024, Duke Kentucky submitted supplemental testimony outside of the established procedural schedule. The Commission will accept the filing; however, the Commission

reminds Duke Kentucky that once a procedural schedule is set, applicants shall follow it, unless the schedule is amended by the Commission. Duke Kentucky cannot ignore the procedural schedule. In this matter, the applicant holds the burden of proof and is, therefore, responsible to ensure that its application and supporting testimony are sufficient to support its request.

The Commission, on its own motion, finds that the procedural schedule established on August 9, 2024, should be amended to afford Intervenors additional time to prepare and file rebuttal testimony. Specifically, the Commission finds that procedural schedule dates should be amended as reflected in the Appendix. In addition, the Commission, on its own motion, finds that a hearing shall be held in this matter.

The Commission, on its own motion, HEREBY ORDERS that:

1. The procedural schedule established on August 9, 2024, is amended.
2. The amended dates to the procedural schedule are set forth in the Appendix attached to this Order.
3. All provisions of the Commission's August 9, 2024, Order that are in conflict with the provisions of this Order are vacated, and all other provisions not in conflict with the provisions of this Order shall remain in effect.
4. A hearing in this matter shall be held on Tuesday, January 14, 2025, at 9 a.m. Eastern Standard Time, and continue on Wednesday, January 15, 2024, or until called from the bench by the presiding officer, at the offices of the Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky.
5. Pursuant to 807 KAR 5:001, Section 2, if the hearing is not concluded on the designated day, the hearing may be continued upon verbal announcement by the

presiding officer. A verbal announcement made by the presiding officer shall be proper notice of the continued hearing.

6. Witnesses who sponsor schedules, testimony, or responses to requests for information shall participate in person at the January 14–15, 2025 hearing.

7. All parties shall file a witness list at least seven days prior to the hearing date.

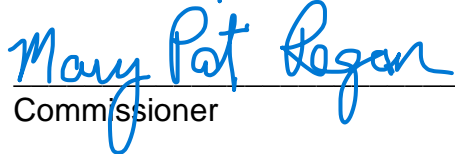
8. Duke Kentucky shall give notice of the hearing in compliance with 807 KAR 5:001, Section 9(2)(b). In addition, the notice of hearing shall include the following statements: “This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov” and “Public comments may be made at the beginning of the hearing. Those wishing to make oral public comments may do so by following the instructions listed on the PSC website, psc.ky.gov.” At the time the notice is mailed or publication is requested, Duke Kentucky shall forward a duplicate of the notice and request to the Commission.

9. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), a digital video transcript shall be made of the hearing.

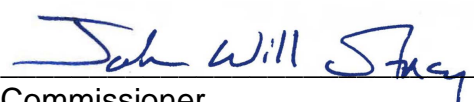
PUBLIC SERVICE COMMISSION



Chairman



Commissioner



Commissioner

ATTEST:



Executive Director

ENTERED
NOV 22 2024 AH
KENTUCKY PUBLIC
SERVICE COMMISSION

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2024-00152 DATED NOV 22 2024

Duke Kentucky shall file, in verified form, its
rebuttal testimony no later than.....11/27/2024

Intervenors shall file, in verified form, its rebuttal testimony
to Duke Kentucky's supplemental testimony, no later than..... 12/06/2024

Public Hearing to be held at 9 a.m. Eastern Standard Time
at the offices of the Public Service Commission at 211 Sower Boulevard,
Frankfort, Kentucky, for the purpose of cross-examination of witnesses
of Duke Kentucky and Intervenors..... 01/14/2025

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