

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF DUKE ENERGY	)	
KENTUCKY, INC. FOR: 1) AN ADJUSTMENT OF	)	
THE ELECTRIC RATES; 2) APPROVAL OF NEW	)	CASE NO.
TARIFFS; 3) APPROVAL OF ACCOUNTING	)	2024-00354
PRACTICES TO ESTABLISH REGULATORY	)	
ASSETS AND LIABILITIES; AND 4) ALL OTHER	)	
REQUIRED APPROVALS AND RELIEF	)	

ORDER

On May 7, 2025, Duke Energy Kentucky, Inc. (Duke Kentucky) moved the Commission to excuse two witnesses from appearing in person, by allowing substitution of a witness and the consolidation or adoption of two data request responses into the testimony of another witness at the upcoming May 21, 2025 hearing.

Specifically, Duke Kentucky requested the Commission allow the substitution of Claire Hudson for that of Grady Carpenter.<sup>1</sup> Since the filing of Duke Kentucky's application in early December 2024, Mr. Carpenter has taken a new position in Duke Energy Corp., and no longer supports the financial forecasting function of Duke Kentucky.<sup>2</sup> According to the motion, Ms. Hudson has assumed Mr. Carpenter's previous Duke Kentucky forecasting responsibilities. Duke Kentucky argues the substitution will allow a more efficient hearing insofar as it will avoid duplication of witnesses within areas

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<sup>1</sup> Duke Kentucky's Unopposed Motion to Excuse and Consolidate Certain Witnesses and Request for Expedited Treatment (Motion) (filed May 7, 2025) at 2.

<sup>2</sup> Motion at 2.

of expertise and will avoid the additional costs of having Mr. Carpenter travel to Kentucky from North Carolina for a multiple-day hearing.<sup>3</sup>

In addition, Duke Kentucky moved the Commission to allow an existing witness, John D. Swez, to adopt the discovery responses of Kimberly Hughes.<sup>4</sup> Ms. Hughes did not file written testimony in this matter and only responded to two questions during the discovery phase.<sup>5</sup> Duke Kentucky anticipated that Ms. Hughes would receive little, if any, cross-examination.<sup>6</sup> Mr. Swez is knowledgeable in the matters for which Ms. Hughes previously provided discovery responses in this proceeding and is capable of adopting these responses.<sup>7</sup> Duke Kentucky also stated that, should the Commission or any party have specific questions for Ms. Hughes that cannot be answered by Mr. Swez, those questions may be addressed through post-hearing data requests.<sup>8</sup>

Finally, no objections have been filed in response to the motion. Duke Kentucky also noted that it reached out to the parties and no one objected to its motion.<sup>9</sup>

The Commission finds that good cause exists for allowing the substitution of Ms. Hudson for Mr. Carpenter and for the data responses of Kimberly Hughes to be adopted by witness, John D. Swez, and allow Mr. Carpenter and Ms. Hughes to be excused from attending the hearing based on the nature of the information they provided and the

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<sup>3</sup> Motion at 3.

<sup>4</sup> Motion at 3.

<sup>5</sup> Motion at 3.

<sup>6</sup> Motion at 3-4.

<sup>7</sup> Motion at 4.

<sup>8</sup> Motion at 4.

<sup>9</sup> Motion at 4.

likelihood that those substituting for testimony or adopting data responses are sufficiently familiar with the subject matter. However, the Commission reminds Duke Kentucky that it expects the witnesses to be able to respond appropriately at the hearing, and should Mr. Swez or Ms. Hudson not be able to answer a question, the utility should ensure that the request is addressed in a post-hearing response. Further, the Commission notes that a party should expect that any person who provides testimony or sponsors responses to request for information will be subject to cross examination at any hearing, and that the Commission will be reluctant to grant such motions in the future without specific reasons justifying excusing each witness.

IT IS THEREFORE ORDERED that:

1. Duke Kentucky's motion to excuse two witnesses from appearing in person, by allowing the substitution of a witness, and through another witness' adoption of two data request responses at the hearing in this matter is granted.

2. Claire Hudson and John D. Swez shall be permitted to adopt the testimony and responses to data requests sponsored by Grady Carpenter and Kimberly Hughes, respectively, and to testify in their place as proposed on the condition that the witnesses adopting the responses to requests for information will be fully prepared and able to respond to questions relating to the testimony and responses.

PUBLIC SERVICE COMMISSION

Chairman

Vice Chairman

Commissioner

ATTEST:

Linda Bridwell RP  
Executive Director



Case No. 2024-00354

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