

COMMONWEALTH OF KENTUCKY
BEFORE THE KENTUCKY STATE BOARD ON ELECTRIC GENERATION
AND TRANSMISSION SITING

In the Matter of:

ELECTRONIC APPLICATION OF DUKE ENERGY)	
OHIO, INC. FOR A CERTIFICATE OF)	
CONSTRUCTION FOR TWO NEW 138 KILOVOLT)	CASE NO.
NONREGULATED ELECTRIC TRANSMISSION)	2025-00228
LINES APPROXIMATELY 1.2 AND 1.3 MILES IN)	
LENGTH IN BOONE COUNTY, KENTUCKY)	

ORDER

This matter arises upon the motion of Applied Industrial Technologies, Inc., (AIT),
filed on September 25, 2025, for full intervention. As a basis for its motion, AIT stated:

[C]onstruction of the Western Route as proposed in the Application will directly interfere with AIT's business plans and property interests. Specifically, AIT plans to expand its distribution warehouse into portions of its property where Duke proposes to locate the Western Route. Because the proposed Western Route would effectively impede AIT's expansion project, AIT has a unique interest in the outcome of this proceeding.¹

AIT averred that rather than follow the existing property boundaries the western transmission line route directly intersects AIT property.² Duke Energy Ohio, Inc. did not file a response to AIT's request for intervention.

¹ AIT's Motion to Intervene (filed Sept. 25, 2025) at 2.

² AIT's Motion to Intervene at 2.

LEGAL STANDARD

The regulatory standard for permissive intervention, set forth in 807 KAR 5:110, Section 4, is twofold. The regulation requires a person to set forth in the motion to intervene either (1) a special interest in the proceeding; or (2) that the party's participating in the proceeding will assist the board in reaching its decision and would not unduly interrupt the proceeding.

DISCUSSION AND FINDINGS

The AIT argued that its motion to intervene was timely because it was filed before the issuance of the procedural schedule or any requests for information.³ AIT argued that the construction of the western route as proposed will directly interfere with AIT's business plans and property interest.⁴ AIT stated that, if allowed to intervene, it will not broaden the scope or delay this proceeding but rather it will allow the "Commission" to further understand the impact of the proposed transmission lines will have on surrounding landowners and whether reasonable alternatives have been considered.⁵

Based on the review of the pleadings at issue and being otherwise sufficiently advised, the Siting Board finds that AIT has demonstrated that it has a special interest in the proceeding over which the Siting Board has jurisdiction that is not otherwise adequately represented, for the reasons discussed below. AIT filed a timely request for intervention. One of the proposed transmission line routes will cross property owned by AIT, and thus, AIT has demonstrated that it has a special interest in the proceeding. It is

³ AIT's Motion to Intervene at 2.

⁴ AIT's Motion to Intervene at 2.

⁵ AIT's Motion to Intervene at 3.

reasonable to expect property in the direct path of the proposed line to be impacted by the construction of the line if the certificate of construction is granted. In addition, AIT has obtained counsel, which the Siting Board expects may reduce confusion and assist in orderly investigation of the proposed transmission routes.

Based on the above, the Siting Board finds that AIT is granted full rights of a party in this proceeding pursuant to 807 KAR 5:110 Section 4. The Siting Board directs AIT to the Commission's July 22, 2021 Order in Case No. 2020-00085⁶ regarding filings with the Siting Board. The Siting Board reminds the AIT that counsel represents specifically the interests of AIT and no other surrounding landowners.

IT IS HEREBY ORDERED that:

1. AIT's motion to intervene is granted.
2. AIT is entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order.
3. The AIT shall act through counsel of record.
4. AIT shall comply with all provisions of the Siting Board's regulations, 807 KAR 5:110 and 807 KAR 5:001, related to the service and electronic filing of documents.
5. AIT shall adhere to the procedural schedule set forth in the Siting Board's October 1, 2025 Order and as amended by subsequent Orders.
6. Pursuant to 807 KAR 5:001, Section 8(9), within seven days of service of this Order, AIT shall file a written statement with the Siting Board that:

⁶ Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC July 22, 2021), Order (in which the Commission ordered that for case filings made on and after March 16, 2020, filers are NOT required to file the original physical copies of the filings required by 807 KAR 5:001, Section 8).

a. Certifies that it, or its agent, possesses the facilities to receive electronic transmissions; and

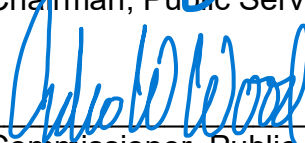
b. Sets forth the electronic mail address to which all electronic notices and messages related to this proceeding shall be served.

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KENTUCKY STATE BOARD ON ELECTRIC
GENERATION AND TRANSMISSION SITING



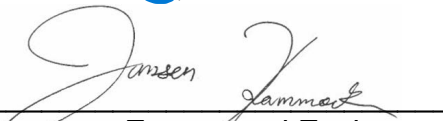
Chairman, Public Service Commission



Commissioner, Public Service Commission



Commissioner, Public Service Commission



Secretary, Energy and Environment Cabinet,
or her designee



Secretary, Cabinet for Economic Development,
or his designee

ATTEST:



Executive Director
Public Service Commission
on behalf of the Kentucky State
Board on Electric Generation
and Transmission Siting



*Hannah Thompson
Dinsmore & Shohl, LLP
101 South Fifth Street
Suite 2500
Louisville, KY 40202

*Larisa M. Vaysman
Duke Energy Kentucky, Inc.
139 East Fourth Street
Cincinnati, OH 45201

*Minna Sunderman
Duke Energy Kentucky, Inc.
139 East Fourth Street
Cincinnati, OH 45201

*Duke Energy Ohio, Inc.
139 East Fourth Street
Cincinnati, OH 45202

*Rocco O D'Ascenzo
Duke Energy Kentucky, Inc.
139 East Fourth Street
Cincinnati, OH 45201

*Edward T Depp
Dinsmore & Shohl, LLP
101 South Fifth Street
Suite 2500
Louisville, KY 40202