

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

NICOLAS PANGALLO
COMPLAINANT

CASE NO.
2026-00130

v.

DUKE ENERGY KENTUCKY, INC.
DEFENDANT

**COMPLAINANT'S MOTION FOR LEAVE TO FILE RESPONSE TO DUKE ENERGY
KENTUCKY, INC.'S BRIEF**

Comes now Nicolas Pangallo (“Complainant”), pro se, and respectfully moves the Commission for leave to file the accompanying Response to Duke Energy Kentucky, Inc.'s Brief (“Duke Energy Kentucky's Brief”), filed October 2, 2026. In support of this Motion, Complainant states as follows:

1. On October 2, 2026, Complainant timely filed a Request for Hearing and Statement of Factual Issues in this matter, in accordance with the Commission's Order of August 24, 2026.
2. On the same date, Duke Energy Kentucky filed a Brief that, for the first time in this proceeding, requests that the Commission dismiss the Complaint with prejudice without a hearing. Duke Energy Kentucky's Brief raises legal arguments — including an argument that portions of Complainant's prior filings are not properly part of the Complaint absent a motion to amend — that Complainant has not previously had an opportunity to address in a corresponding legal brief.
3. Complainant is a pro se party on a fixed disability income, proceeding without counsel, opposed by represented counsel for a corporate utility. Complainant respectfully submits that the interests of justice, and the Commission's ability to fully and fairly consider the matter, are served by allowing Complainant an opportunity to respond to the specific legal arguments raised in Duke Energy Kentucky's Brief before the Commission rules on whether a hearing will be held or the Complaint dismissed without one.
4. This Motion and the accompanying Response are filed promptly, within twelve (12) days of service of Duke Energy Kentucky's Brief, and will not unduly delay this proceeding. No hearing

date has yet been set, and Duke Energy Kentucky will suffer no prejudice from the Commission's consideration of Complainant's Response alongside its own Brief.

5. Complainant's accompanying Response is confined to the points raised in Duke Energy Kentucky's Brief and does not reiterate arguments already made in Complainant's prior filings, consistent with the Commission's rules governing replies.

WHEREFORE

Complainant respectfully requests that the Commission grant this Motion for Leave and accept for filing the accompanying Response to Duke Energy Kentucky, Inc.'s Brief.

/s/ Nicolas Pangallo

Nicolas Pangallo, Complainant, Pro Se

2751 Alexandria Ave, Latonia, Kentucky 41015

Phone: [REDACTED]

Date: October 14, 2026

CERTIFICATE OF SERVICE

This is to certify that a true and accurate copy of the foregoing has been emailed to the Kentucky Public Service Commission at PSCED@ky.gov, and served on counsel for Duke Energy Kentucky, Inc. at the addresses listed below, on this 14th day of October, 2026.

Larisa M. Vaysman, larisa.vaysman@duke-energy.com; Rocco O. D'Ascenzo, rocco.d'ascenzo@duke-energy.com; Sheena McGee Leach, sheena.mcgee@duke-energy.com — Duke Energy Business Services LLC, 139 East Fourth Street, 1303-Main, Cincinnati, Ohio 45202.

/s/ Nicolas Pangallo

Nicolas Pangallo