

David S. Samford Counsel 859.244.3230 dsamford@fbtlaw.com

February 13, 2012

## VIA HAND-DELIVERY

Mr. Jeffrey Derouen
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
P. O. Box 615
Frankfort, Kentucky 40602-0615

RECEIVED

FEB 1 3 2012

PUBLIC SERVICE COMMISSION

Re: In the Matter of: The Joint Application of Duke Energy Corporation,

Cinergy Corp., Duke Energy Ohio, Inc., Duke Energy Kentucky, Inc., Diamond Acquisition Corporation, and Progress Energy, Inc., for

Approval of the Indirect Transfer of Control of Duke Energy Kentucky, Inc.

PSC Case No. 2011-00124

Dear Mr. Derouen:

Please find enclosed for filing with the Commission in the above-referenced case an original and ten (10) copies of the Joint Applicants' Fourth Status Report, which is being tendered in conformity with the Commission's August 2, 2011 Order. Please file this document in the record and return file-stamped copies to me.

Please do not hesitate to contact me if you have any questions.

Sincerely yours,

David S. Samford

**Enclosures** 

cc: Jennifer B. Hans

Dennis G. Howard, II Lawrence W. Cook

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## COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

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FEB 1 3 2012

PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

THE JOINT APPLICATION OF DUKE ENERGY	)	
CORPORATION, CINERGY CORP., DUKE	)	
ENERGY OHIO, INC., DUKE ENERGY	)	CASE NO. 2011-00124
KENTUCKY, INC., DIAMOND ACQUISITION	)	
CORPORATION, AND PROGRESS ENERGY, INC.	)	
FOR APPROVAL OF THE INDIRECT TRANSFER	)	
OF CONTROL OF DUKE ENERGY KENTUCKY, INC.	)	

## JOINT APPLICANTS' FOURTH STATUS REPORT

Come now Duke Energy Corporation ("Duke"), Cinergy Corp. ("Cinergy"), Duke Energy Ohio, Inc. ("Duke Ohio"), Duke Energy Kentucky, Inc. ("Duke Kentucky"), Diamond Acquisition Corporation ("Diamond") and Progress Energy, Inc. ("Progress") (collectively, the "Joint Applicants"), and pursuant to Paragraph 4 of the Commission's August 2, 2011, Order in the above-captioned case tender this report regarding the status of the merger transaction. There have been no significant developments regarding the merger since the Joint Applicants filed their Third Status Report on January 23, 2012, which is adopted and incorporated herein by reference as if set forth fully.

Respectfully submitted

Mark David Goss

David S. Samford

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Counsel for Duke Energy Corporation Cinergy Corp. Duke Energy Ohio, Inc. Duke Energy Kentucky, Inc. Diamond Acquisition Corporation Progress Energy, Inc.

- and -

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Counsel for Duke Energy Corporation Cinergy Corp. Duke Energy Ohio, Inc. Duke Energy Kentucky, Inc. Diamond Acquisition Corporation

## **CERTIFICATE OF SERVICE**

I hereby certify that the foregoing was mailed, first class postage prepaid, this 13<sup>th</sup> day of February, 2012 to the following parties of record:

Hon. Jennifer B. Hans Hon. Dennis G. Howard, II Hon. Lawrence Cook Utility and Rate Intervention Division P. O. Box 2000 Frankfort, Kentucky 40602-2000

Counsel for the Joint Applicants

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