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Case Management System - KY Public Service Commission*Regular Cases Before the Commission as of May 19, 2024***2022-00372**

RECEIVED: 12/01/22

FILED: 12/14/22

FINAL: 10/12/23

REOPENED: 11/01/23

SUSPENSION DATE: 07/14/23

CASE CODE

General Rates

Tariffs

Accounting Deferral

UTILITIES:

Duke Energy Kentucky, Inc.

HEARINGS:

05/11/23 Formal Hearing

05/10/23 Formal Hearing

05/09/23 Formal Hearing

INDEX OF EVENTS:

04/01/24 Deborah L Gates Rocco DAscenzo Duke Energy Kentucky Inc.s Reply Brief

03/18/24 Angela M. Goad Office of the Attorney General OAG Brief on Rehearing

03/18/24 Deborah L Gates Rocco DAscenzo Duke Energy Kentucky, Inc.s hereby submits a Brief on Rehearing

02/15/24 Order Entered: 1. The Attorney General's request to brief the rehearing issues is granted. 2. If a party so chooses, simultaneous briefs shall be due on March 18, 2024. 3. If a party so chooses, simultaneous response briefs shall be due on April 1, 2024. 4. This matter shall stand submitted as of 12:01 a.m. Eastern Daylight Time on April 2, 2024.

02/09/24 Kurt J. Boehm The Kroger Co. The Kroger Cos Response to KPSCs November 22, 2023 Order

02/09/24 Carrie H. Grundmann Walmart Inc. Walmarts Letter response to November 22, 2023, Order

02/09/24 M Todd Osterloh Kentucky Broadband and Cable Association Statement Regarding Submission of Issues for Decision

02/09/24 Angela M. Goad Office of the Attorney General OAG Request to File a Brief and Recommendation to Submit on the Record for a Final Decision on Rehearing

02/09/24 Minna Sunderman Rocco DAscenzo Duke Energy Kentucky, Inc.s Request for Submittal

01/26/24 Deborah Gates Rocco DAscenzo Duke Energy Kentucky Inc.s Response to AGs 2nd Rehearing Request for Information

01/26/24 Deborah Gates Rocco DAscenzo Duke Energy Kentucky, Inc.s responses to Staffs 2nd Rehearing Request for Information

01/12/24 Angela M. Goad Office of the Attorney General OAG Second Request for Information on Rehearing to Duke Energy Kentucky, Inc.

01/11/24 COMMISSION STAFF'S SECOND REHEARING REQUEST FOR INFORMATION TO DUKE ENERGY KENTUCKY, INC.

12/22/23 Tammy Meyer Rocco DAscenzo Duke Energy Kentucky, Inc.s Response Attachments to Staffs 1st Set of Rehearing Data Requests 005 (a) and (b) Attachment 2

12/22/23 Tammy Meyer Rocco DAscenzo Duke Energy Kentucky, Inc.s Responses to Staffs First Set of Rehearing Data Request

12/21/23 Minna Sunderman Rocco DAscenzo Duke Energy Kentucky, Inc.s Responses to Attorney Generals First Set Rehearing Discovery Requests

12/07/23 Order Entered: 1. Duke Kentucky's petition for confidential treatment for certain attachments provided in Duke Kentucky's application is granted in part and denied in part. 2. Duke Kentucky's petition for confidential treatment for FRS, including monthly managerial reports and its monthly Regulatory O&M and Capital Reports; Direct Testimony of Amy Spiller Attachment, ABS 3; Direct Testimony of Paul Halstead Attachments, PLH 2 and PLH 3; Direct Testimony of Jake Stewart Attachments, JSS 3(a) and 3(b); and Direct Testimony of Bruce Sailors, Attachments BLS 3, BLS 4, BLS 6, and BLS 8 is granted. 3. Duke Kentucky's petition for confidential treatment for Budget Guideline and Assumptions; The Direct Testimony of Amy Spiller, Attachment ABS 1; and for the Direct Testimony of Jake Stewart, Attachment JSS 3(c) is denied. 4. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for 20 years, except for the Direct Testimony of Bruce Sailors, Attachments BLS 6 and BLS 8 in which the attachments shall not be placed in the public record or made available for public inspection for 2 years, or until further order of this Commission. 5. Use of the designated material granted confidential treatment by this Order in any Commission proceeding shall comply with 807 KAR 5:001, Section

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- 13(9).
- 12/06/23 Angela M. Goad Office of the Attorney General OAG First Request for Information on Rehearing to Duke Energy Kentucky, Inc.
- 12/05/23 COMMISSION STAFF'S FIRST REHEARING REQUEST FOR INFORMATION TO DUKE ENERGY KENTUCKY, INC.
- 11/22/23 Order Entered: 1. Duke Energy Kentucky, Inc. (Duke Kentucky) shall respond to all requests for information propounded by Commission Staff, whether identified on the procedural schedule or otherwise, as provided in those requests. 2. Any party filing a paper with the Commission shall file an electronic copy in accordance with the electronic filing procedures set forth in 807 KAR 5:001, Section 8. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked. The Commission directs the parties to the Commission's July 22, 2021 Order in Case No. 2020-00085¹ regarding filings with the Commission. 3. The Commission does not look favorably upon motions for continuance. Accordingly, motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause. 4. The Commission does not look favorably upon motions to excuse witnesses from testifying at Commission hearings. Accordingly, motions to excuse a witness from testifying at a Commission hearing or from testifying in person at a Commission hearing shall be made in writing and will be granted only upon a showing of good cause.
- 11/22/23 Commission HEREBY ORDERS, nunc pro tunc, that: 1. Duke Kentucky's Budget Guidelines and Assumptions are stricken from the list of materials granted confidential treatment on page five of the Order and the sentence should now read as follows:
- The Commission finds that the designated material contained in Duke Kentucky's FRS monthly managerial reports and its monthly Regulatory O&M and Capital Reports, Direct Testimony of Paul Halstead Attachments PLH 2 and PLH 3, Direct Testimony of Jake Stewart Attachments JSS 3(a) and 3(b), and Direct Testimony of Bruce Sailors Attachments BLS- 3, BLS-4, BLS-6, and BLS-8 are records that meet the criteria for confidential treatment and should be exempted from public disclosure pursuant to KRS 61.878(1)(c)(1) and 807 KAR 5:001, Section 13.
2. All other provisions of the Commission's October 24, 2023 Order that are not in conflict with the terms of this Order shall remain in effect.
- 11/21/23 Order Entered: 1. Duke Kentucky's motion for rehearing is granted in part and denied in part. 2. Duke Kentucky's request for rehearing on the removal of decommissioning costs from depreciation rates related to fossil fuel related generation is denied. 3. Duke Kentucky's request for rehearing on depreciation rates related to the retirement of East Bend is denied. 4. Duke Kentucky's request for rehearing on the removal of forced outage expense is denied. 5. Duke Kentucky's request for rehearing related to rates, rate design, the waiver of 807 KAR 5:006 Section 7(1)(a)(3), decommissioning expense related to solar generation assets, errors alleged in Attachment A and rate case expense is granted. 6. A procedural schedule Order to be issued at a later date shall be followed for the processing of this matter on rehearing. 7. The remainder of the October 12, 2023 Order not in conflict with this Order remains in effect.
- 11/14/23 Minna Sunderman Duke Energy Kentucky, Inc. Duke Energy Kentucky, Inc. Documentation Denied Confidential Treatment
- 11/13/23 Minna Sunderman Rocco D'Ascenzo Duke Energy Kentucky, Inc.s Reply in Support of Petition for Rehearing
- 11/08/23 Joe F. Childers Sierra Club Sierra Clubs Response to Duke Energys Petition for Rehearing
- 11/08/23 Angela M. Goad Office of the Attorney General OAG Response to Duke Energy Kentucky, Inc.s Petition for Rehearing
- 11/01/23 Minna Sunderman Larisa Vaysman Duke Energy Kentucky, Inc.s Petition for Rehearing
- 10/30/23 Order Entered: 1. Duke Kentucky's petition for confidential treatment is granted. 2. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for 20 years except Duke Kentucky's response to Sierra Club's Second Request, Item 12, Attachment, which will not be placed in the public record or made available for public inspection confidential for an indefinite period. 3. Use of the designated material granted confidential treatment by this Order in any Commission proceeding shall comply with 807 KAR 5:001, Section 13(9). 4. Duke Kentucky shall inform the Commission if the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment.

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10/24/23 Order Entered: 1. Duke Kentucky's petition for confidential treatment from May 4, 2023, is granted in part and denied in part. 2. Duke Kentucky's petition for confidential treatment for FRS monthly managerial reports, Direct Testimony of Paul Halstead Attachments PLH 2 and PLH 3, Direct Testimony of Jake Steward Attachment JJS 3(a) and (b), Direct Testimony of Bruce Sailors Attachments BLS-3, BLS-4, BLS-6, and BLS-8, employee information including names and salaries; monthly Rate for LED Equipment, new LED Equipment, useful life price breakdowns including labor costs, fixtures costs, pole and bracket expenses based on information from vendors; and workpapers for the calculation of remote reconnection fee, Kroger's First Request, Item 3(c), Attachment, Kroger's First Request, Item 4(c), Attachment, Kroger's First Request, Item 4(g), Attachment, is granted. 3. Duke Kentucky's petition for confidential treatment for Duke Kentucky's budget and assumptions, Direct Testimony of Jake Stewart Attachment JJS 3(c), Staff's First Request, Item No. 56, Attachment BLS-5, and Kroger's First Request, Item 2(c) is denied. Duke Kentucky has leave to refile its motion for Kroger's First Request, Item 2(c). 4. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for 20 years or until further order of this Commission.

10/12/23 Final Order Entered: 1. The rates and charges proposed by Duke Kentucky are denied. 2. The rates and charges, as set forth in Appendix B to this Order, are approved as fair, just and reasonable rates for Duke Kentucky, and these rates and charges are approved for service rendered on and after the date of entry of this Order. 3. Duke Kentucky's proposed depreciation rates are denied and its depreciation rates shall be calculated as discussed in this Order. 4. Duke Kentucky's request to amortize the forced and scheduled outage regulatory assets over five years is approved. 5. Duke Kentucky's proposal to continue the deferrals for forced and scheduled outages expenses above and below base rates is denied. 6. Duke Kentucky's request to revise Rider FAC is denied. 7. Except for the tariffs that have been modified or denied, Duke Kentucky's proposed tariffs are approved as filed. 8. Within 20 days of the date of this Order, Duke Kentucky shall file with the Commission, using the Commission's electronic Tariff Filing System, new tariff sheets setting forth the rates, charges, and modifications approved or as required herein and reflecting their effective date and that they were authorized by this Order.

10/12/23 Minna Sunderman Rocco D'Ascenzo Duke Energy Kentucky, Inc.s Notice of Intent to Place Proposed Rates into Effect

09/27/23 Order Entered: 1. Duke Kentucky's petition for confidential treatment is granted. 2. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for an indefinite period or until further Order of this Commission. 3. Use of the designated material granted confidential treatment by this Order in any Commission proceeding shall comply with 807 KAR 5:001, Section 13(9).

09/26/23 Multiple Public Comments

09/25/23 Mariann Mason Public Comment

09/25/23 Mariann Mason Additional Public Comment

09/22/23 Mariann Mason Public Comment

09/19/23 Order Entered: 1. Duke Kentucky's April 14, 2023 petition for confidential treatment is granted. 2. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for 10 years or until further Order of this Commission. 3. Use of the designated material granted confidential treatment by this Order in any Commission proceeding shall comply with 807 KAR 5:001, Section 13(9). 4. Duke Kentucky shall inform the Commission if the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment.

09/19/23 Jeannine Bell Smith Public Comment

09/15/23 Order Entered: 1. Duke Kentucky's May 26, 2023 petitions for confidential treatment are granted. 2. The Attachment to Duke Kentucky's Response to Staff's Post-Hearing Request, Item 15 granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for 10 years or until further Order of this Commission. 3. The Attachment 3, provided in response to KBCA's Post-Hearing Request Item 1, granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for 20 years or until further Order of this Commission. 4. Use of the designated material granted confidential treatment by this Order in any Commission proceeding shall comply with 807 KAR 5:001, Section 13(9).

09/05/23 Order Entered: 1. Duke Kentucky's petition for confidential treatment is granted. 2. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for 20 years or until further Order of

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this Commission. 3. Use of the designated material granted confidential treatment by this Order in any Commission proceeding shall comply with 807 KAR 5:001, Section 13(9). 4. Duke Kentucky shall inform the Commission if the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment. 5. If a nonparty to this proceeding requests to inspect the material granted confidential treatment by this Order and the period during which the material has been granted confidential treatment has not expired, Duke Kentucky shall have 30 days from receipt of written notice of the request to demonstrate that the material still falls within the exclusions from disclosure requirements established in KRS 61.878. If Duke Kentucky is unable to make such demonstration, the requested material shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

08/28/23

Mark Kunkel Public Comment

08/18/23

Order Entered: 1. Duke Kentucky's petition for confidential treatment is granted. 2. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for 20 years or until further Order of this Commission. 3. Use of the designated material granted confidential treatment by this Order in any Commission proceeding shall comply with 807 KAR 5:001, Section 13(9). 4. Duke Kentucky shall inform the Commission if the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment. 5. If a nonparty to this proceeding requests to inspect the material granted confidential treatment by this Order and the period during which the material has been granted confidential treatment has not expired, Duke Kentucky shall have 30 days from receipt of written notice of the request to demonstrate that the material still falls within the exclusions from disclosure requirements established in KRS 61.878. If Duke Kentucky is unable to make such demonstration, the requested material shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

07/19/23

Notice of Filing Hearing Documents - May 11, 2023

07/19/23

Notice of Filing Hearing Documents - May 10, 2023

06/27/23

Notice of Filing Hearing Documents - May 9, 2023

06/19/23

M Todd Osterloh Kentucky Broadband and Cable Association Reply Brief

06/19/23

Minna Sunderman Rocco DAscenzo Duke Energy Kentucky, Inc.s Post-Hearing Reply Brief

06/19/23

Joe F. Childers Sierra Club Sierra Clubs Reply Brief

06/19/23

Kurt J. Boehm The Kroger Co. REPLY BRIEF OF THE KROGER CO.

06/19/23

Carrie Harris Grundmann Walmart Inc. Reply Brief of Walmart Inc.

06/09/23

Joe F. Childers Sierra Club Sierra Clubs Post-Hearing Brief

06/09/23

Carrie Harris Grundmann Walmart Inc. Initial Brief of Walmart Inc.

06/09/23

Angela M. Goad Office of the Attorney General OAG Post-Hearing Brief

06/09/23

Kurt J. Boehm The Kroger Co. Brief of The Kroger Co.

06/09/23

M Todd Osterloh Kentucky Broadband and Cable Association Post-Hearing Brief

06/09/23

Minna Sunderman Rocco DAscenzo Duke Energy Kentucky, Inc.s Initial Post-Hearing Brief

06/02/23

Minna Sunderman Rocco DAscenzo Duke Energy Kentucky, Inc.s Second Supplemental Response to the AGs Second Set of Data Requests

06/02/23

Minna Sunderman Rocco DAscenzo Duke Energy Kentucky, Inc.s Fifth Supplemental Response to Commission Staffs First Request for Information

05/26/23

Minna Sunderman Rocco DAscenzo Duke Energy Kentucky, Inc.s Responses to the Kentucky Broadband and Cable Associations Post Hearing Data Requests

05/26/23

Minna Sunderman Rocco DAscenzo Duke Energy Kentucky, Inc.s Responses to the Attorney Generals Post Hearing Data Requests

05/26/23

Minna Sunderman Rocco DAscenzo Duke Energy Kentucky, Inc.s Responses to Staffs Post-Hearing Requests for Information

05/16/23

M Todd Osterloh Kentucky Broadband and Cable Association Post Hearing Data Requests

05/16/23

Angela M. Goad Office of the Attorney General OAG Post-Hearing Request for Information

05/16/23

COMMISSION STAFF'S POST-HEARING REQUEST FOR INFORMATION TO DUKE ENERGY KENTUCKY, INC.

05/15/23

M Todd Osterloh Kentucky Broadband and Cable Association KBCA Errata Sheet and Corrected Testimony of Patricia Kravtin

05/15/23

Minna Sunderman Rocco DAscenzo Duke Energy Kentucky, Inc.s Revised Responses to the AGs Data Requests and Errata Sheets with Revised Testimony

05/15/23

Order Entered: 1. Duke Kentucky's May 5, 2023 motion to file corrections to witness testimony is granted. 2. Corrected testimony of any witness shall be filed on or before May 15, 2023. 3. Post-

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hearing requests for information, if any, shall be filed on or before May 16, 2023.

4. Responses to post-hearing requests for information shall be filed on or before May 26, 2023. 5. All parties shall file a memorandum brief, should they choose to do so, in support of their respective post-hearing position on or before June 9, 2023. 6. All parties shall file any post-hearing response briefs, should they choose to do so, addressing only issues raised in initial briefs on or before June 19, 2023.

7. This case shall stand submitted for a decision by the Commission effective 12:01 a.m. Eastern Daylight Time, June 20, 2023.

05/11/23	Joe F. Childers Sierra Club Motion for Leave to File Corrected Testimony of Sarah Shenstone-Harris
05/05/23	Minna Sunderman Rocco DAscenzo Duke Energy Kentucky, Inc.s Motion for Leave to File Corrections to the Rebuttal Testimonies of John Panizza and Lisa Steinkuhl and Certain Responses to Intervenor Data Requests, Instanter
05/05/23	M Todd Osterloh Kentucky Broadband and Cable Association Supplemental Response to Duke RFI 1-4
05/04/23	Minna Sunderman Rocco DAscenzo Duke Energy Kentucky, Inc.s Renewed Petitions for Confidential Treatment of Certain Data Requests
05/03/23	Minna Sunderman Duke Energy Kentucky, Inc. Duke Energy Kentucky, Inc.s Publication of Hearing Notice and Affidavit
05/02/23	Order Entered: Kristin Henry is admitted pro hac vice, pending proof, similar to that filed on behalf of Joshua Smith and Kathryn Huddleston, filed prior to the start of the hearing set in this case of admittance to the Kentucky Bar Association, for the purpose of representing Sierra Club in association with Joe Childers in the above-styled proceeding, provided that Joe Childers or another member of the Kentucky Bar Association acts as co-counsel and is present at all proceedings before this Commission.
05/01/23	Order Entered: 1. KBCA's motion is denied in part and granted in part. 2. Patricia Kravtin shall participate in person at the May 9, 2023, through May 12, 2023, hearing. 3. Jason Keller may participate virtually in the May 9, 2023, through May 12, 2023, hearing. 4. Local counsel for KBCA shall participate in person at the May 9, 2023, through May 12, 2023, hearing. 5. All KBCA counsel actively participating in cross-examination of a witness shall participate in person at the May 9, 2023, through May 12, 2023, hearing. 6. KBCA counsel who will not participate in cross-examination of a witness may participate virtually in the May 9, 2023, through May 12, 2023, hearing. 7. KBCA shall notify Commission Staff of the party or parties that will be participating virtually pursuant to this Order within one day of the date of service of this Order. 8. Commission Staff shall contact the participants with instructions for participating remotely.
04/28/23	Order Entered: 1. All parties shall submit a list of witnesses expected to testify at the hearing on or before May 4, 2023. 2. All parties shall ensure a sufficient number of copies of the exhibits at the hearing. 3. The order for witnesses shall be the Applicant, the Attorney General, Sierra Club, KBCA, Walmart, and Kroger. 4. The order for cross-examination shall be the Attorney General, Sierra Club, KBCA, Walmart, Kroger, and Commission Staff.
04/28/23	Minna Sunderman Rocco DAscenzo Duke Energy Kentucky, Inc.s Witness List
04/28/23	Order Entered: 1. Walmart's motion is granted. 2. Steve Chriss shall appear in person before the Commission at the hearing in this matter on May 11, 2023.
04/28/23	Joe F. Childers Sierra Club Sierra Clubs Witness List
04/28/23	M Todd Osterloh Kentucky Broadband and Cable Association Witness List
04/28/23	Joe F. Childers Sierra Club Motion to Admit Kristin Henry Pro Hac Vice
04/27/23	Kurt J. Boehm The Kroger Co. THE KROGER CO's NOTICE REGARDING ORDER OF WITNESS
04/27/23	Carrie H. Grundmann Walmart Inc. Walmart Inc.s Notice Regarding Order of Witnesses
04/26/23	Angela M. Goad Office of the Attorney General OAG Witness List
04/21/23	Minna Sunderman Rocco DAscenzo Duke Energy Kentucky, Inc. Supplemental Responses to the Attorney Generals Requests for Information
04/21/23	Minna Sunderman Rocco DAscenzo Duke Energy Kentucky, Inc.s 4th Supplemental Response to Staffs First Request for Information
04/19/23	Carrie H. Grundmann Walmart Inc. Walmart Inc.s Motion to Establish Date Certain
04/17/23	Deborah Gates Rocco DAscenzo Duke Energy Kentucky, Inc. hereby submits its responses to Commission Staffs 5th request for information
04/17/23	Minna Sunderman Duke Energy Kentucky, Inc. Duke Energy Kentucky, Inc.s Request to KY Press for Publication of Hearing Notice
04/14/23	Minna Sunderman Rocco DAscenzo Duke Energy Kentucky, Inc.s Supplemental Responses to Commission Staffs Requests for Information - Excels

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04/14/23 Minna Sunderman Rocco DAscenzo Duke Energy Kentucky, Inc.s Supplemental Responses to the Attorney Generals Requests for Information

04/14/23 Minna Sunderman Rocco DAscenzo Duke Energy Kentuckys Supplemental Responses to Commission Staffs Requests for Information

04/14/23 Minna Sunderman Rocco DAscenzo Duke Energy Kentucky, Inc.s Base Period Update to Filing Requirements 807 KAR 5:001 Section 16(7)(o) and 807 KAR 5:001 Section 16(8)(a) - (n)

04/14/23 Deborah Gates Rocco DAscenzo Duke Energy Kentucky, Inc. hereby submits rebuttal testimony

04/13/23 M Todd Osterloh Sturgill, Turner, Barker Moloney Motion to Appear Virtually at Hearing

04/12/23 Deborah Gates Rocco DAscenzo Duke Energy Kentucky, Inc. hereby submits its responses to the Commission Staffs fourth request for information

04/10/23 M. Todd Osterloh Kentucky Broadband and Cable Association KBCA Proof of Pro Hac Vice Admission

04/10/23 COMMISSION STAFF'S FIFTH REQUEST FOR INFORMATION TO DUKE ENERGY KENTUCKY, INC.

04/07/23 Joe Childers Sierra Club Notice of Filing Confidential Exhibit and Corrected exhibit titled 01-06 Attachment B - Load Curve Assumptions

04/07/23 Joe Childers Sierra Club Sierra Clubs Responses to Requests for Information of Duke Energy Kentucky, Inc.

04/07/23 Carrie H. Grundmann Walmart Inc. Responses of Walmart Inc. to Duke Energy Kentucky, Inc.s First Set of Interrogatories and Requests for Production of Documents

04/07/23 Carrie H. Grundmann Walmart Inc. Corrected Direct Testimony and Exhibits of Steve W. Chriss on behalf of Walmart Inc.

04/07/23 M. Todd Osterloh Kentucky Broadband and Cable Association KBCA Responses to Duke Energy Kentucky First Request for Information

04/07/23 Angela M. Goad Office of the Attorney General OAG Response to Duke Energy Kentucky, Inc.s First Request for Information

04/07/23 Kurt J. Boehm The Kroger Co. RESPONSES OF THE KROGER CO. TO DUKE ENERGY KENTUCKY, INC's FIRST SET OF INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS

04/07/23 Angela M. Goad Office of the Attorney General OAG Response to the Commission Staffs First Request for Information

04/05/23 Order Entered: 1. Duke Kentucky's January 26, 2023 motion for confidential treatment for is granted in part and denied in part. 2. Duke Kentucky's request for confidential treatment for its response to Attorney General's First Request, Item 58 is granted. 3. The remainder of the designated material for which Duke Kentucky requests confidential treatment is denied. 4. Duke Kentucky has leave to refile the designated material for which confidential treatment was denied in compliance with the requirements set forth in the body of this Order. 5. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for 20 years or until further order of this Commission. 6. Use of the designated material granted confidential treatment by this Order in any Commission proceeding shall comply with 807 KAR 5:001E, Section 13(9).

03/30/23 COMMISSION STAFF'S FOURTH REQUEST FOR INFORMATION TO DUKE ENERGY KENTUCKY, INC.

03/24/23 Deborah Gates Rocco DAscenzo DEK Inc.s First Request for Information Upon Walmart Inc.

03/24/23 Deborah Gates Rocco DAscenzo DEKs First Set Request for Information upon Attorney General

03/24/23 Deborah Gates Rocco DAscenzo DEKs First Request for Information upon Sierra Club

03/24/23 Deborah Gates Rocco DAscenzo DEKs First Request for Information upon Kroger

03/24/23 Debbie Gates Rocco DAscenzo DEK Inc.s First Request for Information Upon KBCA

03/23/23 COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO WALMART, INC.

03/23/23 COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO THE ATTORNEY GENERAL

03/23/23 Order Entered: 1. A hearing in this matter shall be held on May 9, 2023, through May 12, 2023, at 9 a.m. Eastern Daylight Time and continuing until called from the bench by the presiding officer, in the Richard Raff Hearing Room at the offices of the Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky. 2. Pursuant to 807 KAR 5:001E, 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. 3. Witnesses who sponsor schedules, testimony, or responses to requests for information shall participate in person at the hearing. 4. Duke Energy Kentucky, Inc. (Duke Kentucky) shall give notice of the hearing in compliance with 807 KAR 5:001E, Section 9(2)(b).

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03/13/23	Minna Sunderman Duke Energy Kentucky, Inc. Duke Energy Kentucky, Inc.s Submittal of Confidential Information Denied Confidential Treatment
03/10/23	M Todd Osterloh Kentucky Broadband and Cable Association Testimony
03/10/23	Joe F. Childers Sierra Club Direct Testimony of Sarah Shenstone-Harris on Behalf of Sierra Club
03/10/23	Carrie H. Grundmann Walmart Inc. Direct Testimony and Exhibits of Steve W. Chriss on behalf of Walmart Inc.
03/10/23	Angela M. Goad Office of the Attorney General OAG Direct Testimony
03/10/23	Kurt J. Boehm The Kroger Co. The Kroger Cos Direct Testimony of Justin D. Bieber
03/10/23	Alicia Zaloga ChargePoint Inc Comments of ChargePoint Inc
03/08/23	Minna Sunderman Larisa M. Vaysman Duke Energy Kentucky, Inc.s Revised Response to Sierra Clubs Second Request for Information
03/02/23	Minna Sunderman Rocco DAscenzo Duke Energy Kentucky, Inc.s Responses to the Attorney Generals Second Request for Information
03/02/23	Minna Sunderman Rocco DAscenzo Duke Energy Kentucky, Inc.s Responses to Commission Staffs Third Request for Information
03/02/23	Minna Sunderman Rocco DAscenzo Duke Energy Kentucky, Inc.s Responses to Sierra Clubs Second Request for Information
03/02/23	Minna Sunderman Rocco DAscenzo Duke Energy Kentucky, Inc.s Responses to Kentucky Broadband and Cable Associations Supplemental Request for Information
03/01/23	Deborah Gates Rocco DAscenzo Duke Energy Kentucky hereby submits its Response to Krogers 2nd request for information
02/28/23	Deborah Gates Rocco DAscenzo Duke Energy Kentucky, Inc. hereby submits second supplemental responses to Commission Staffs first request for information
02/27/23	Deborah L Gates Rocco DAscenzo Duke Energy Kentucky, Inc.s hereby files Supplemental responses to AG-DR-01-090 and AG-DR-01-091
02/17/23	M Todd Osterloh Kentucky Broadband and Cable Association Supplemental Request for Information
02/17/23	Joe F Childers Sierra Club Sierra Clubs Second Request for Information to Duke Energy Kentucky, Inc.
02/17/23	Kurt J. Boehm The Kroger Co. THE KROGER CO's SECOND SET OF DISCOVERY TO DUKE ENERGY KENTUCKY, INC.
02/17/23	Order Entered: Kathryn Huddleston and Joshua Smith are admitted pro hac vice for the purpose of representing Sierra Club in association with Joe Childers in the above-styled proceeding, provided that Joe Childers or another member of the Kentucky Bar Association acts as co-counsel and is present at all proceedings before this Commission.
02/17/23	Order Entered: Paul Werner, Maria-Laura Coltre, and Hannah Wigger are admitted pro hac vice, pending proof of their Kentucky pro hac vice numbers are provided within ten days of service of the Order, for the purpose of representing KBCA in association with Todd Osterloh in the above-styled proceeding, provided that Todd Osterloh or another member of the Kentucky Bar Association acts as co-counsel and is present at all proceedings before this Commission.
02/17/23	COMMISSION STAFF'S THIRD REQUEST FOR INFORMATION TO DUKE ENERGY KENTUCKY, INC.
02/16/23	Angela M. Goad Office of the Attorney General OAG Second Request for Information to Duke Energy Kentucky, Inc.
02/10/23	Order Entered: 1. Duke Kentucky's petition for confidential treatment for the responses to Staff's First Request, Items 13, 18, 30, 49(b), 49(c), and the attachments provided in response to Staff's First Request, Item 56 is granted. 2. Duke Kentucky's petition for confidential treatment for the responses to Staff's First Request, Items 6, 43, 45, and 46 is denied. 3. Duke Kentucky's petition for confidential treatment for the response to Staff's First Request, Item 41 is granted for the names and titles of the employees. 4. Duke Kentucky's Petition for confidential treatment for the response to Staff's First Request, Item 41 for the salary of employees is denied. 5. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for 20 years or until further order of this Commission. 6. Use of the designated material granted confidential treatment by this Order in any Commission proceeding shall comply with 807 KAR 5:001E, Section 13(9). 7. Duke Kentucky shall inform the Commission if the designated material granted confidential treatment becomes publicly available or no longer qualifies for confidential treatment.
02/09/23	Debbie Gates Rocco DAscenzo Duke Energy Kentucky, Inc. hereby submits its supplemental response to AGs request number 65

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Case Management System - KY Public Service Commission*Regular Cases Before the Commission as of May 19, 2024*

02/09/23 Debbie Gates Rocco DAscenzo Duke Energy Kentucky hereby submits its supplemental response to Commission Staffs request numbers 3 and 14

02/09/23 Kentucky Solar Industries Association, Inc. Public Comment

02/03/23 Lora Ledford Public Comment

01/30/23 Minna Sunderman Duke Energy Kentucky, Inc. Duke Energy Kentucky, Inc.s Customer Notice of Rate Change Newspaper Tearsheets and Affidavit

01/26/23 M Todd Osterloh Kentucky Broadband and Cable Association Motion to Admit Attorneys Pro Hac Vice

01/26/23 Minna Sunderman Rocco DAscenzo Duke Energy Kentucky, Inc.s Responses to the Attorney Generals First Request for Information - Excels

01/26/23 Deborah L Gates Rocco DAscenzo Dukes Response to Krogers 1st Set

01/25/23 Minna Sunderman Rocco DAscenzo Duke Energy Kentucky, Inc.s Responses to the Attorney Generals First Request for Information Part 2

01/25/23 Minna Sunderman Rocco DAscenzo Duke Energy Kentucky, Inc.s Responses to the Attorney Generals First Request for Information Part 1

01/25/23 Deborah L Gates Rocco DAscenzo Dukes response to Staffs 2nd request

01/25/23 Deborah Gates Rocco DAscenzo Dukes response to Sierra 1st set

01/25/23 Deborah L Gates Rocco DAscenzo Duke Energys response to KBCA

01/25/23 Deborah L Gates Rocco DAscenzo Duke Energy Kentucky response to Wal-Marts first request for info

01/24/23 M Todd Osterloh Kentucky Broadband and Cable Association Response to Commissions Order

01/23/23 Joe F. Childers Sierra Club KBA Receipts for Pro Hac Vice Motions for Smith and Huddleston

01/23/23 Joe F. Childers Sierra Club Sierra Clubs Motion to Admit Joshua Smith Pro Hac Vice

01/23/23 Joe F. Childers Sierra Club Motion of Sierra Club for Kathryn Huddleston to appear Pro Hac Vice

01/23/23 Carrie H. Grundmann Walmart Inc. Walmart Inc.s Written Statement in Response to the Commissions January 17, 2023, Order

01/17/23 Order Entered: 1. Walmart's motion to intervene is granted. 2. Walmart 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. Walmart shall comply with all provisions of the Commission's regulations, 807 KAR 5:001E, Section 8, related to the service and electronic filing of documents. 4. Walmart shall adhere to the procedural schedule set forth in the Commission's December 19, 2022 Order and as amended by subsequent Orders. 5. Pursuant to 807 KAR 5:001E, Section 8(9), within seven days of service of this Order, Walmart shall file a written statement with the Commission that: 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.

01/17/23 1. Kroger's motion to intervene is granted. 2. Kroger 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. Kroger shall comply with all provisions of the Commission's regulations, 807 KAR 5:001E, Section 8, related to the service and electronic filing of documents. 4. Kroger shall adhere to the procedural schedule set forth in the Commission's December 19, 2022 Order and as amended by subsequent Orders.

01/17/23 Order Entered: 1. KBCA's motion to intervene is granted. 2. KBCA 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. KBCA shall comply with all provisions of the Commission's regulations, 807 KAR 5:001E, Section 8, related to the service and electronic filing of documents. 4. KBCA shall adhere to the procedural schedule set forth in the Commission's December 19, 2022 Order and as amended by subsequent Orders. 5. Pursuant to 807 KAR 5:001E, Section 8(9), within seven days of service of this Order, KBCA shall file a written statement with the Commission that: 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.

01/11/23 M Todd Osterloh Kentucky Broadband and Cable Association First Request for Information

01/11/23 COMMISSION STAFF'S SECOND REQUEST FOR INFORMATION TO DUKE ENERGY KENTUCKY, INC.

01/11/23 Carrie H. Grundmann Walmart Inc. Walmart Inc.s Initial Requests for Information to Duke Energy Kentucky, Inc.

01/11/23 Angela M. Goad Office of the Attorney General OAG First Request for Information to Duke Energy Kentucky, Inc.

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01/11/23 Kurt J. Boehm The Kroger Co. The Kroger Cos First Set of Discovery to Duke Energy Kentucky, Inc.
01/10/23 Joe F. Childers Sierra Club Sierra Clubs First Requests for Information to Duke Energy Kentucky, Inc.
01/06/23 Order Entered: 1. Sierra Club's motion to intervene is granted. 2. Sierra Club 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. Sierra Club shall comply with all provisions of the Commission's regulations, 807 KAR 5:001E, Section 8, related to the service and electronic filing of documents. 4. Sierra Club shall adhere to the procedural schedule set forth in the Commission's December 19, 2022 Order and as amended by subsequent Orders. 5. Pursuant to 807 KAR 5:001E, Section 8(9), within seven days of service of this Order, Sierra Club shall file a written statement with the Commission that: 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.

01/03/23 M Todd Osterloh Kentucky Broadband and Cable Association Petition to Intervene
01/03/23 Kurt J. Boehm The Kroger Co. Motion to Intervene of The Kroger Co.
01/03/23 Carrie H. Grundmann Walmart Inc. Motion to Intervene of Walmart Inc.
12/21/22 JOE F CHILDERS Sierra Club Sierra Clubs Motion to Intervene
12/19/22 Order Entered: 1. Duke Kentucky's proposed rates are suspended for six months, up to and including July 14, 2023. 2. The procedural schedule set forth in the Appendix to this Order shall be followed. 3. Any party filing a paper with the Commission shall file an electronic copy in accordance with the electronic filing procedures set forth in 807 KAR 5:001, Section 8. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked. The Commission directs the parties to the Commission's July 22, 2021 Order in Case No. 2020-00085² regarding filings with the Commission. 4. As set forth in 807 KAR 5:001, Section 4(11)(a), a person requesting permissive intervention in a Commission proceeding is required to demonstrate either (1) a special interest in the proceeding that is not adequately represented in the case, or (2) that the person requesting permissive intervention is likely to present issues or develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings. Therefore, any person requesting to intervene in a Commission proceeding must state with specificity the person's special interest that is not otherwise adequately represented, or the issues and facts that the person will present that will assist the Commission in fully considering the matter.

12/15/22 Deborah Gates Rocco DAscenzo Duke Energy Kentucky Inc. hereby submits its response to Staffs 1st request for information
12/15/22 Deborah Gates Rocco DAscenzo Duke Energy Kentucky, Inc. hereby submits its Response to Staffs Request for Information
12/15/22 Deborah Gates Rocco DAscenzo Duke Energy Kentucky, Inc. hereby submits Commission Staffs 1st request for information
12/15/22 Deborah Gates Rocco DAscenzo Duke Energy Kentucky, Inc. hereby submits Commission Staffs 1st set of Request for Information
12/15/22 Deficiency cured letter
12/14/22 Deborah Gates Rocco DAscenzo Duke Energy Kentucky Inc. hereby submits an affidavit of Amy B. Spiller
12/13/22 Order Entered: 1. Duke Kentucky's request for a deviation from rate case public notice requirements is denied. 2. Duke Kentucky's application tendered on December 1, 2022, is rejected for filing.
12/13/22 Order Entered: 1. The Attorney General's motion to intervene is granted. 2. The Attorney General 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 Attorney General shall comply with all provisions of the Commission's regulations, 807 KAR 5:001, Section 8, related to the service and electronic filing of documents. 4. Pursuant to 807 KAR 5:001, Section 8(9), within seven days of the date of service of this Order, the Attorney General shall file a written statement with the Commission that: 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.

12/08/22 Minna Sunderman Rocco DAscenzo Duke Energy Kentucky, Inc.s Response to the December 6, 2022 Deficiency Letter
12/08/22 IT IS THEREFORE ORDERED that Elizabeth M. Brama is admitted pro hac vice for the purpose of representing Duke Kentucky in association with Valerie T. Herring in the above-styled proceeding, provided that Valerie T. Herring or another member of the Kentucky Bar Association acts as co-counsel and is present at all proceedings before this Commission.

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12/06/22	Angela M. Goad Office of the Attorney General OAG Motion to Take into Account the Unavailability of a Witness when Scheduling Deadlines and Hearing Date(s)
12/06/22	Deficiency letter, information due 12/16/2022
12/05/22	Angela M. Goad Office of the Attorney General OAG Motion to Intervene
12/01/22	Deborah L Gates Rocco DAscenzo Duke Energy Kentucky, Inc. Application Part 3
12/01/22	Deborah L Gates Rocco DAscenzo Duke Energy Kentucky Inc. Application - Part 2
12/01/22	Deborah L Gates Rocco DAscenzo Duke Energy Kentucky, Inc. Application
11/30/22	Minna Sunderman Rocco DAscenzo Motion to Admit Elizabeth M. Brama to Practice Pro Hac Vice
11/10/22	COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO DUKE ENERGY KENTUCKY, INC.
11/01/22	Acknowledge Receipt of Filing
11/01/22	Duke Energy Kentucky, Inc. Notice of Intent to File an Application for (1) An Adjustment of Electric Rates; (2) Approval of New Tariffs; (3) Approval of Accounting Practices to Establish Regulatory Assets and Liabilities; and (4) All Other Required Approvals and Relief Using Electronic Filing Procedures

Total Number of Cases: 1