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Case Management System - KY Public Service Commission*Regular Cases Before the Commission as of February 26, 2025***2023-00413**

RECEIVED: 12/11/23

FILED: 12/20/23

FINAL: 11/20/24

REOPENED: 10/31/24

SUSPENSION DATE: 06/18/24

CASE CODE

Tariffs

UTILITIES:

Duke Energy Kentucky, Inc.

HEARINGS:

05/21/24 Formal Hearing

05/15/24 Formal Hearing

INDEX OF EVENTS:

12/10/24 POST CASE: Byron L. Gary Joint Intervenors Notice of Appeal

11/20/24 Order Entered: 1. The effective date for Duke Kentucky's updated Rider NM-1 and NM-2 shall be January 1, 2025. 2. Joint Intervenors' petition for rehearing is denied. 3. This case is closed and removed from the Commission's docket.

11/07/24 Minna Sunderman Larisa Vaysman Response of Duke Energy Kentucky, Inc. to Joint Intervenors Kentucky Solar Energy Society and Kentuckians for the Commonwealths Petition for Rehearing

11/04/24 David Spenard Kentucky Solar Industries Association, Inc. Response to Petition for Rehearing

10/31/24 Byron L. Gary Joint Intervenors Petition for Rehearing

10/11/24 Final Order Entered: 1. The rates and charges proposed by Duke Kentucky in Rider NM-2 are denied. 2. The rates and charges for Duke Kentucky's Rider NM-2, as set forth in the Appendix to this Order, are fair, just and reasonable rates. 3. Duke Kentucky's Rider NM-1 shall be modified as described in this Order. 4. Duke Kentucky's Rider NM-2 shall be modified as described in this Order. 5. Duke Kentucky's proposal to remove the Interconnection Guidelines from Rider NM-1 and place them in a separate tariff is approved. 6. Duke Kentucky's proposed revisions to the Interconnection Approval Form and the Level 1 and Level 2 Applications for Interconnection and Net Metering are approved. 7. Duke Kentucky shall file an application to update its NM tariff and rates either 60 days after the conclusion of its 2024 IRP case or 90 days prior to Duke Kentucky reaching its 1 percent net metering cap pursuant to KRS 278.466(1), whichever occurs first. 8. Within 20 days of the date of service 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. 9. The case shall be closed and removed from the Commission's docket.

07/18/24 Byron L. Gary Joint Intervenors Response Brief of Joint Intervenors

07/18/24 Minna Sunderman Larisa Vaysman Duke Energy Kentucky, Inc.s Post-Hearing Reply Brief

07/18/24 David Spenard Kentucky Solar Industries Association, Inc. KYSEIA Post-Hearing Response Brief

07/17/24 Notice of Filing Hearing Documents - May 21, 2024

06/26/24 Byron L. Gary Joint Intervenors Memorandum Brief of Joint Intervenors

06/26/24 Deborah L Gates Larisa Vaysman Duke Energy Kentucky, Inc.s Responses to Staffs 2nd set of post-hearing request for information

06/26/24 Deborah L Gates Larisa Vaysman Duke Energy Kentucky, Inc.s Brief

06/26/24 David Spenard KYSEIA KYSEIA Memorandum Brief

06/26/24 J. Michael West Office of the Attorney General Attorney Generals Brief

06/18/24 COMMISSION STAFF'S SECOND POST-HEARING REQUEST FOR INFORMATION TO DUKE ENERGY KENTUCKY, INC.

06/14/24 Order Entered: 1. Duke Kentucky's May 14, 2024 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 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). 4. If the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment, Duke Kentucky shall inform the Commission and file with the Commission an unredacted copy of the designated material. 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

Case Management System - KY Public Service Commission

Regular Cases Before the Commission as of February 26, 2025

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.

06/08/24 Byron L. Gary Joint Intervenors Corrected Direct Testimony of Richard Mccann, Ph.D on Behalf of Joint Intervenors Kentucky Solar Energy Society and Kentuckians for the Commonwealth

06/07/24 Deborah L Gates Rocco DAscenzo Duke Energy Kentucky Inc.s responses to Staffs 1st set Post-Hearing request for information

06/07/24 Deborah L Gates Rocco DAscenzo Duke Energy Kentucky, Inc. hereby submits its responses to KYSEIAs first set of post-hearing request for information

05/29/24 Response E-Mails to Multiple Comments

05/24/24 COMMISSION STAFF'S POST-HEARING REQUEST FOR INFORMATION TO DUKE ENERGY KENTUCKY, INC.

05/24/24 Order Entered: 1. Joint Intervenors' April 9, 2024 Motion is granted. 2. Joint Intervenors' request that the Commission take administrative notice of the Clean Air Act (CAA) section 111(b) and 111(d) is granted. 3. Post-hearing requests for information, if any, shall be filed on or before May 24, 2024. 4. Responses to post-hearing requests for information shall be filed on or before June 7, 2024. 5. Joint Intervenors shall file errata testimony for Dr. Richard McCann by June 7, 2024. 6. All parties shall file a memorandum brief, should they choose to do so, on or before June 26, 2024. 7. All parties shall file any post-hearing response briefs, should they so choose to do so, on or before July 18, 2024. 8. This case shall stand submitted for a decision by the Commission effective 12:01 a.m. Eastern Daylight Time, July 19, 2024.

05/24/24 David Spenard Kentucky Solar Industries Association, Inc. KYSEIA Post-Hearing Requests for Information

05/23/24 Multiple Public Comment

05/21/24 Carolyn Cromer Public Comment

05/20/24 Minna Sunderman Duke Energy Kentucky, Inc. Duke Energy Kentucky, Inc.s Publication of Hearing Notice and Affidavit

05/20/24 Audrey Ernstberger/Byron L. Gary Joint Intervenors Notice of Entry of Appearance

05/20/24 Byron L. Gary Joint Intervenors Supplemental Response of Joint Intervenors Kentucky Solar Energy Society and Kentuckians for the Commonwealth to March 22, 2024 Request for Information from Duke Energy Kentucky, Inc.

05/17/24 Order Entered: 1. Duke Kentucky's December 11, 2023; March 6, 2024; March 22, 2024; April 10, 2024; April 14, 2024 petitions; and the three petitions from February 2, 2024 for confidential treatment are 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. If the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment, Duke Kentucky shall inform the Commission and file with the Commission an unredacted copy of the designated material. 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.

05/15/24 L. Allyson Honaker Duke Energy Kentucky, Inc. Entry of Appearance

05/14/24 Deborah L Gates Larisa Vaysman Duke Energy Kentucky Inc.s responses to Staffs 5th set of request for information

05/14/24 Minna Sunderman Larisa Vaysman Duke Energy Kentucky, Inc.s Revised Response to KSES Second Request for Information

05/14/24 Minna Sunderman Larisa Vaysman Duke Energy Kentucky, Inc.s Witness List

05/08/24 Order Entered: 1. Joint Intervenors' motion is granted. 2. Dr. Richard McCann may participate virtually in the May 21, 2024 hearing. 3. Joint Intervenors 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. 4. Commission Staff shall contact the participants with instructions for participating remotely.

DOC11R

Case Management System - KY Public Service Commission*Regular Cases Before the Commission as of February 26, 2025*

5. Joint Intervenors and Dr. Richard McCann shall coordinate with Commission Staff to ensure a technology test is done no less than three days prior to the May 21, 2024 hearing.
- 05/02/24 COMMISSION STAFF'S FIFTH REQUEST FOR INFORMATION TO DUKE ENERGY KENTUCKY, INC.
- 05/01/24 Byron L. Gary Joint Intervenors Unopposed Motion of Joint Intervenors for Leave to Allow Witness Dr. Richard McCann to Testify Virtually
- 04/30/24 Minna Sunderman Duke Energy Kentucky, Inc. Duke Energy Kentucky, Inc.s Request for Publication of Hearing Notice
- 04/30/24 Order Entered: 1. Duke Kentucky's motion to reschedule the hearing is granted. 2. A hearing in this matter shall be held on May 21, 2024, at 9 a.m. Eastern Daylight Time, in the Richard Raff Hearing Room at the offices of the Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky. 3. Pursuant to 807 KAR 5:001, Section 2, if the hearing is not concluded on the designated day, the hearing shall 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. 4. Witnesses who sponsor schedules, testimony, or responses to requests for information shall participate in person at any hearing scheduled in this matter. 5. Duke Kentucky shall file a witness list at least seven days prior to the hearing date. 6. Duke Kentucky shall give notice of the hearing in compliance with 807 KAR 5:001, Section 9(2)(b). In addition, the notice of hearing shall include the following statements: "This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov" and "Public comments may be made at the beginning of the hearing. Those wishing to make oral public comments may do so by following the instructions listed on the PSC website, psc.ky.gov." At the time the notice is mailed or publication is requested, Duke Kentucky shall forward a duplicate of the notice and request to the Commission.
- 04/30/24 Lisa Schoenbachler Public Comment
- 04/25/24 Multiple Public Comments
- 04/24/24 Steve Hegge Public Comment
- 04/24/24 Multiple Public Comments
- 04/22/24 Elizabeth Chandler Public Comment
- 04/17/24 Deborah L Gates Larisa Vaysman Duke Energy Kentucky, Inc. hereby submits the Rebuttal Testimony of Bruce L. Sailors
- 04/10/24 Deborah L Gates Larisa Vaysman Duke Energy Kentucky Inc.s Responses to Staffs Fourth Request for Information
- 04/10/24 Gary Smith Public Comment
- 04/09/24 Byron L. Gary Joint Intervenors Motion for Leave to File Corrected Responses of Joint Intervenors to Request for Information from Duke Energy Kentucky, Inc.
- 04/05/24 Byron L. Gary Joint Intervenors Responses to First Request for Information From Duke Energy Kentucky, Inc.
- 04/05/24 Minna Sunderman Larisa Vaysman Duke Energy Kentucky, Inc.s Unopposed Motion to Modify the May 15, 2024 Hearing Date
- 04/04/24 Judith Petersen Public Comment
- 04/03/24 Multiple Public Comments
- 04/02/24 Order Entered: 1. A hearing in this matter shall be held on May 15, 2024, 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 5:001, 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 May 15, 2024 hearing. 4. Duke Energy Kentucky, Inc. (Duke Kentucky) shall give notice of the hearing in compliance with 807 KAR 5:001, Section 9(2)(b). In addition, the notice of hearing shall include the following statements: "This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov" and "Public comments may be made at the beginning of the hearing. Those wishing to make oral public comments may do so by following the instructions listed on the PSC website, psc.ky.gov." At the time the notice is mailed or publication is requested, Duke Kentucky shall forward a duplicate of the notice and request to the Commission. 5. Duke Kentucky

Case Management System - KY Public Service Commission*Regular Cases Before the Commission as of February 26, 2025*

shall file a witness list seven days prior to the hearing date.

03/28/24 COMMISSION STAFF'S FOURTH REQUEST FOR INFORMATION TO DUKE ENERGY KENTUCKY, INC.

03/22/24 Debbie Gates Duke Energy Kentucky, Inc. DEKs Initial Discovery to Kentucky Solar Energy Society and Kentuckians for the Commonwealth

03/22/24 Debbie Gates Duke Energy Kentucky, Inc. DEK, Inc. submits its responses to Staffs 3rd Request for Information

03/13/24 Byron L. Gary Joint Intervenors Direct Testimony of Richard Mccann, Ph.D on Behalf of Joint Intervenors

03/12/24 COMMISSION STAFF'S THIRD REQUEST FOR INFORMATION TO DUKE ENERGY KENTUCKY, INC.

03/06/24 Emily Olive Larisa Vaysman Duke Energy Kentuckys Responses to KSEs Second Set of Data Requests

03/06/24 Emily Olive Larisa Vaysman Duke Energy Kentucky, Inc.s Responses to KYSEIAs Second Set of Data Requests

03/05/24 Emily A. Olive Larisa M. Vaysman Duke Energy Kentuckys Responses to Staffs 2nd Set of Data Requests

02/21/24 Byron L. Gary Joint Intervenors Supplemental Requests for Information

02/21/24 David Spenard Kentucky Solar Industries Association, Inc. KYSEIA Supplemental Requests for Information

02/21/24 COMMISSION STAFF'S SECOND REQUEST FOR INFORMATION TO DUKE ENERGY KENTUCKY, INC.

02/12/24 Letter Regarding Services of Strategen Consulting, LLC

02/06/24 Minna Sunderman Duke Energy Kentucky, Inc. Duke Energy Kentucky, Inc.s Customer Notice Publications

02/06/24 Deborah Gates Larisa Vaysman Duke Energy Kentucky Inc. hereby submits AG-DR-01-001 Attachment which was mistakenly not included.

02/02/24 Minna Sunderman Larisa M. Vaysman Duke Energy Kentucky, Inc.s Responses to Kentucky Solar Energy Society and Kentuckians for the Commonwealths First Request for Information

02/02/24 Deborah Gates Larisa Vaysman Duke Energy Kentucky, Inc.s Response to KYSEIAs 1st set of request for information

02/02/24 Deborah Gates Larisa Vaysman Duke Energy Kentucky, Inc.s Response to AGs 1st Set of Request for Information

02/02/24 Minna Sunderman Larisa M. Vaysman Duke Energy Kentucky, Inc.s Responses to Commission Staffs First Request for Information

01/30/24 Byron L. Gary Joint Intervenors Written Statement Regarding Receipt of Electronic Transmissions

01/29/24 Order Entered: 1. Joint Intervenors' motion to intervene is granted. 2. Joint Intervenors are 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. Joint Intervenors 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. Joint Intervenors shall adhere to the procedural schedule set forth in the Commission's January 5, 2024 Order and as amended by subsequent Orders. 5. Pursuant to 807 KAR 5:001, Section 8(9), within seven days of service of this Order, Joint Intervenors 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.

01/19/24 Byron L. Gary Movants for Joint Intervention Tendered First Set of Requests to Duke Energy Kentucky, Inc. for Information from Joint Movants for Joint Intervention

01/19/24 COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO DUKE ENERGY KENTUCKY, INC.

01/19/24 David Spenard Kentucky Solar Industries Association, Inc. KYSEIA Initial Requests for Information to Duke

01/18/24 J. Michael West Office of the Kentucky Attorney General OAG Data Requests to DEK

01/17/24 Byron L. Gary Kentucky Solar Energy Society and Kentuckians for the Commonwealth Joint Motion for Full Intervention as Joint Intervenors

01/12/24 David Spenard KYSEIA KYSEIA Written Statement

Case Management System - KY Public Service Commission

Regular Cases Before the Commission as of February 26, 2025

01/12/24 Order Entered: 1. KYSEIA's motion to intervene is granted. 2. KYSEIA 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. KYSEIA 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. KYSEIA shall adhere to the procedural schedule set forth in the Commission's January 5, 2024 Order and as amended by subsequent Orders. 5. Pursuant to 807 KAR 5:001, Section 8(9), within seven days of service of this Order, KYSEIA 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.

01/11/24 Minna Sunderman Larisa M. Vaysman Duke Energy Kentucky, Inc.s Notice of Appearance and Written Statement

01/05/24 Order Entered: 1. This proceeding is established to investigate the reasonableness of the proposed tariff. 2. Duke Kentucky's proposed tariff is suspended for five months from January 19, 2024, up to and including June 18, 2024. 3. The record in Case No. 2019-00256 is incorporated by reference into this matter. 4. Duke Kentucky shall, by counsel, enter an appearance in this proceeding within seven days of the date of service of this Order. The entry of appearance shall include the name, address, telephone number, fax number, and electronic mail address of counsel. 5. Unless otherwise ordered by the Commission, the procedures set forth in 807 KAR 5:001, Section 8, related to service and electronic filing of papers shall be followed in this proceeding. 6. Pursuant to 807 KAR 5:001, Section 8(9), within seven days of the date of service of this Order, Duke Kentucky shall file by electronic means a written statement that it waives any right to service of Commission Orders by United States mail and that it or its authorized agent possess the facilities to receive electronic submissions.

01/03/24 David Spenard Kentucky Solar Industries Association, Inc. KYSEIA Motion to Intervene

12/21/23 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 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.

12/21/23 Deficiency cured letter

12/20/23 Minna Sunderman Larisa Vaysman Duke Energy Kentucky, Inc.s Response to December 20, 2023 Deficiency Letter

12/20/23 Second deficiency letter, information due 12/30/2023

12/19/23 Minna Sunderman Larisa Vaysman Duke Energy Kentucky, Inc.s Response to Deficiency Notice dated December 14, 2023

12/18/23 J. Michael West Office of the Kentucky Attorney General Motion to Intervene

12/14/23 Deficiency letter, information due 12/24/2023.

12/11/23 Minna Sunderman Larisa M. Vaysman Application of Duke Energy Kentucky, Inc. for an Adjustment to Rider NM Rates and for Tariff Approval

12/11/23 Acknowledge Receipt of Filing

12/11/23 Duke Energy Kentucky, Inc. Notice of Intent to File an Application for an Adjustment to Rider NM Rates and for Tariff Approval Using Electronic Filing Procedures

Total Number of Cases: 1