

Duke Energy CORP  
Form 8-K  
October 03, 2011

**UNITED STATES**  
**SECURITIES AND EXCHANGE COMMISSION**

Washington, D.C. 20549

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**FORM 8-K**

**CURRENT REPORT**

**Pursuant to Section 13 or 15(d) of the**  
**Securities Exchange Act of 1934**

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Date of Report (Date of earliest event reported): **September 30, 2011**

**DUKE ENERGY CORPORATION**

(Exact Name of Registrant as Specified in its Charter)

**Delaware**  
(State or Other Jurisdiction  
  
of Incorporation)

**001-32853**  
(Commission  
  
File Number)

**20-2777218**  
(IRS Employer  
  
Identification No.)

**526 South Church Street, Charlotte, North Carolina 28202**

(Address of Principal Executive Offices, including Zip code)

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(704) 594-6200

(Registrant's telephone number, including area code)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

- Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
  - Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
  - Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
  - Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))
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**ITEM 8.01. OTHER EVENTS**

On October 3, 2011, Duke Energy Corporation and Progress Energy, Inc., issued a joint press release announcing the conditional authorization of the companies' proposed merger by the Federal Energy Regulatory Commission (FERC) in an order dated September 30, 2011. The authorization is subject to FERC's approval of mitigation measures to address its finding that the combined company could have an adverse effect on competition in the North Carolina and South Carolina power markets. A copy of the press release is attached hereto as Exhibit 99.1 and is incorporated herein by reference.

**Item 9.01. Financial Statements and Exhibits.**

(d) Exhibits.

99.1 Joint Press Release of Duke Energy and Progress Energy dated October 3, 2011

**SIGNATURE**

Pursuant to the requirements of the Securities and Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

**DUKE ENERGY CORPORATION**

Date: October 3, 2011

By: /s/ Marc E. Manly  
Name: Marc E. Manly  
Title: Group Executive, Chief Legal Officer and Corporate Secretary

**EXHIBIT INDEX**

| <b>Exhibit</b> | <b>Description</b>   |
|----------------|--|
| <b>99.1</b>    | Joint Press Release of Duke Energy and Progress Energy dated October 3, 2011 |