Form 5500

Department of the Treasury
Internal Revenue Service

Department of Labor
Employee Benefits Security Administration

Pension Benefit Guaranty Corporation

Annual Return/Report of Employee Benefit Plan

This form is required to be filed for employee benefit plans under sections 104 and 4065 of the Employee Retirement Income Security Act of 1974 (ERISA) and sections 6047(e), and 6058(a) of the Internal Revenue Code (the Code).

▶ **Complete all entries in accordance with the instructions to the Form 5500.**

OMB Nos. 1210-0110
1210-0089

2009

This Form is Open to Public Inspection

Part I Annual Report Identification Information

For calendar plan year 2009 or fiscal plan year beginning 01/01/2009 and ending 12/31/2009

A This return/report is for:
- [ ] a multiemployer plan;
- [ ] a multiple-employer plan; or
- [X] a single-employer plan;
- [ ] a DFE (specify) ____

B This return/report is:
- [ ] the first return/report;
- [ ] the final return/report;
- [X] an amended return/report;
- [ ] a short plan year return/report (less than 12 months).

C If the plan is a collectively-bargained plan, check here. . . . . ▶ [ ]

D Check box if filing under:
- [X] Form 5558;
- [ ] automatic extension;
- [ ] the DFVC program;
- [ ] special extension (enter description)

Part II Basic Plan Information—enter all requested information

1a Name of plan
CINERGY CORP. NON-UNION EMPLOYEES' PENSION PLAN

1b Three-digit plan number (PN) ▶ 005

1c Effective date of plan 01/01/1990

2a Plan sponsor's name and address (employer, if for a single-employer plan) (Address should include room or suite no.)
CINERGY CORP.

P.O. BOX 1321
CHARLOTTE, NC 28201

550 SOUTH TRYON STREET
DEC38A
CHARLOTTE, NC 28202

2b Employer Identification Number (EIN)
31-1385023

2c Sponsor's telephone number
704-382-5289

2d Business code (see instructions)
221100

Caution: A penalty for the late or incomplete filing of this return/report will be assessed unless reasonable cause is established.

Under penalties of perjury and other penalties set forth in the instructions, I declare that I have examined this return/report, including accompanying schedules, statements and attachments, as well as the electronic version of this return/report, and to the best of my knowledge and belief, it is true, correct, and complete.

SIGN HERE	Filed with authorized/valid electronic signature.	10/05/2010	RICHARD JEFFERIES
	Signature of plan administrator	Date	Enter name of individual signing as plan administrator
SIGN HERE			
	Signature of employer/plan sponsor	Date	Enter name of individual signing as employer or plan sponsor
SIGN HERE			
	Signature of DFE	Date	Enter name of individual signing as DFE

3a Plan administrator's name and address (if same as plan sponsor, enter "Same")
DUKE ENERGY CORPORATION BENEFITS COMMITTEE

550 S. TRYON STREET
DEC38A
CHARLOTTE, NC 28202

3b Administrator's EIN
20-2777218

3c Administrator's telephone number
704-382-5289

4 If the name and/or EIN of the plan sponsor has changed since the last return/report filed for this plan, enter the name, EIN and the plan number from the last return/report:
a Sponsor's name

4b EIN

4c PN

5	Total number of participants at the beginning of the plan year	**5**	6923
6	Number of participants as of the end of the plan year (welfare plans complete only lines **6a, 6b, 6c,** and **6d**).		
a	Active participants	**6a**	2775
b	Retired or separated participants receiving benefits	**6b**	2627
c	Other retired or separated participants entitled to future benefits	**6c**	1115
d	Subtotal. Add lines **6a**, **6b**, and **6c**	**6d**	6517
e	Deceased participants whose beneficiaries are receiving or are entitled to receive benefits	**6e**	502
f	Total. Add lines **6d** and **6e**	**6f**	7019
g	Number of participants with account balances as of the end of the plan year (only defined contribution plans complete this item)	**6g**	
h	Number of participants that terminated employment during the plan year with accrued benefits that were less than 100% vested	**6h**	37
7	Enter the total number of employers obligated to contribute to the plan (only multiemployer plans complete this item)	**7**	

8a If the plan provides pension benefits, enter the applicable pension feature codes from the List of Plan Characteristic Codes in the instructions:
1A 1C 1G 3H

b If the plan provides welfare benefits, enter the applicable welfare feature codes from the List of Plan Characteristic Codes in the instructions:

9a Plan funding arrangement (check all that apply)

(1)		Insurance
(2)		Code section 412(e)(3) insurance contracts
(3)	X	Trust
(4)		General assets of the sponsor

9b Plan benefit arrangement (check all that apply)

(1)		Insurance
(2)		Code section 412(e)(3) insurance contracts
(3)	X	Trust
(4)		General assets of the sponsor

10 Check all applicable boxes in 10a and 10b to indicate which schedules are attached, and, where indicated, enter the number attached. (See instructions)

a Pension Schedules

(1)	X	**R** (Retirement Plan Information)
(2)		**MB** (Multiemployer Defined Benefit Plan and Certain Money Purchase Plan Actuarial Information) - signed by the plan actuary
(3)	X	**SB** (Single-Employer Defined Benefit Plan Actuarial Information) - signed by the plan actuary

b General Schedules

(1)	X	**H** (Financial Information)
(2)		**I** (Financial Information – Small Plan)
(3)		**A** (Insurance Information)
(4)		**C** (Service Provider Information)
(5)	X	**D** (DFE/Participating Plan Information)
(6)		**G** (Financial Transaction Schedules)

SCHEDULE SB (Form 5500)

Department of the Treasury
Internal Revenue Service

Department of Labor
Employee Benefits Security Administration

Pension Benefit Guaranty Corporation

Single-Employer Defined Benefit Plan Actuarial Information

This schedule is required to be filed under section 104 of the Employee Retirement Income Security Act of 1974 (ERISA) and section 6059 of the Internal Revenue Code (the Code).

▶ **File as an attachment to Form 5500 or 5500-SF.**

OMB No. 1210-0110

2009

This Form is Open to Public Inspection

For calendar plan year 2009 or fiscal plan year beginning 01/01/2009 and ending 12/31/2009

▶ **Round off amounts to nearest dollar.**

▶ **Caution:** A penalty of $1,000 will be assessed for late filing of this report unless reasonable cause is established.

A Name of plan
CINERGY CORP. NON-UNION EMPLOYEES' PENSION PLAN

B Three-digit plan number (PN) ▶ 005

C Plan sponsor's name as shown on line 2a of Form 5500 or 5500-SF
CINERGY CORP.

D Employer Identification Number (EIN)
31-1385023

E Type of plan: [X] Single [ ] Multiple-A [ ] Multiple-B

F Prior year plan size: [ ] 100 or fewer [ ] 101-500 [X] More than 500

Part I Basic Information

1 Enter the valuation date: Month 01 Day 01 Year 2009

2	Assets:			
a	Market value	**2a**		821906878
b	Actuarial value	**2b**		837168149
3	Funding target/participant count breakdown		**(1)** Number of participants	**(2)** Funding Target
a	For retired participants and beneficiaries receiving payment	**3a**	3159	513845263
b	For terminated vested participants	**3b**	1152	39433576
c	For active participants:			
	(1) Non-vested benefits	**3c(1)**		23495503
	(2) Vested benefits	**3c(2)**		256919892
	(3) Total active	**3c(3)**	2688	280415395
d	Total	**3d**	6999	833694234
4	If the plan is at-risk, check the box and complete items (a) and (b) [ ]			
a	Funding target disregarding prescribed at-risk assumptions	**4a**		
b	Funding target reflecting at-risk assumptions, but disregarding transition rule for plans that have been at-risk for fewer than five consecutive years and disregarding loading factor	**4b**		
5	Effective interest rate	**5**		8.29 %
6	Target normal cost	**6**		26659853

Statement by Enrolled Actuary

To the best of my knowledge, the information supplied in this schedule and accompanying schedules, statements and attachments, if any, is complete and accurate. Each prescribed assumption was applied in accordance with applicable law and regulations. In my opinion, each other assumption is reasonable (taking into account the experience of the plan and reasonable expectations) and such other assumptions, in combination, offer my best estimate of anticipated experience under the plan.

SIGN HERE

09/16/2010
Signature of actuary — Date

JENNIFER A. YANULAVICH — 08-06264
Type or print name of actuary — Most recent enrollment number

HEWITT ASSOCIATES LLC — 704-347-0100
Firm name — Telephone number (including area code)

201 S. COLLEGE STREET, STE. 1550
CHARLOTTE, NC 28244
Address of the firm

If the actuary has not fully reflected any regulation or ruling promulgated under the statute in completing this schedule, check the box and see instructions [ ]

Part II Beginning of year carryover and prefunding balances

		(a) Carryover balance	(b) Prefunding balance
7	Balance at beginning of prior year after applicable adjustments (Item 13 from prior year)	163343718	0
8	Portion used to offset prior year's funding requirement (Item 35 from prior year)	31091334	0
9	Amount remaining (Item 7 minus item 8)	132252384	0
10	Interest on item 9 using prior year's actual return of -26.40 %	-34914629	
11	Prior year's excess contributions to be added to prefunding balance:		
a	Excess contributions (Item 38 from prior year)		151989172
b	Interest on (a) using prior year's effective rate of 6.14 %		9332135
c	Total available at beginning of current plan year to add to prefunding balance		161321307
d	Portion of (c) to be added to prefunding balance		64000000
12	Reduction in balances due to elections or deemed elections	0	0
13	Balance at beginning of current year (item 9 + item 10 + item 11d – item 12)	97337755	64000000

Part III Funding percentages

14	Funding target attainment percentage	14	81.06 %
15	Adjusted funding target attainment percentage	15	100.41 %
16	Prior year's funding percentage for purposes of determining whether carryover/prefunding balances may be used to reduce current year's funding requirement	16	96.70 %
17	If the current value of the assets of the plan is less than 70 percent of the funding target, enter such percentage	17	%

Part IV Contributions and liquidity shortfalls

18 Contributions made to the plan for the plan year by employer(s) and employees:

(a) Date (MM-DD-YYYY)	(b) Amount paid by employer(s)	(c) Amount paid by employees	(a) Date (MM-DD-YYYY)	(b) Amount paid by employer(s)	(c) Amount paid by employees
02/02/2009	29000000				
12/29/2009	102872000				
		Totals ► 18(b)		131872000	18(c) 0

19 Discounted employer contributions – see instructions for small plan with a valuation date after the beginning of the year:

a	Contributions allocated toward unpaid minimum required contribution from prior years.	19a	0
b	Contributions made to avoid restrictions adjusted to valuation date	19b	0
c	Contributions allocated toward minimum required contribution for current year adjusted to valuation date	19c	123857190

20 Quarterly contributions and liquidity shortfalls:

a Did the plan have a "funding shortfall" for the prior year? [X] Yes [ ] No

b If 20a is "Yes," were required quarterly installments for the current year made in a timely manner? [X] Yes [ ] No

c If 20a is "Yes," see instructions and complete the following table as applicable:

Liquidity shortfall as of end of Quarter of this plan year

(1) 1st	(2) 2nd	(3) 3rd	(4) 4th
0	0	0	0

Part V Assumptions used to determine funding target and target normal cost

21 Discount rate:

a Segment rates:

1st segment: %	2nd segment: %	3rd segment: %	[X] N/A, full yield curve used

b Applicable month (enter code) — **21b**: 2

22 Weighted average retirement age — **22**: 60

23 Mortality table(s) (see instructions) [ ] Prescribed - combined [X] Prescribed - separate [ ] Substitute

Part VI Miscellaneous items

24 Has a change been made in the non-prescribed actuarial assumptions for the current plan year? If "Yes," see instructions regarding required attachment. [X] Yes [ ] No

25 Has a method change been made for the current plan year? If "Yes," see instructions regarding required attachment. [X] Yes [ ] No

26 Is the plan required to provide a Schedule of Active Participants? If "Yes," see instructions regarding required attachment. [X] Yes [ ] No

27 If the plan is eligible for (and is using) alternative funding rules, enter applicable code and see instructions regarding attachment	**27**	

Part VII Reconciliation of unpaid minimum required contributions for prior years

28 Unpaid minimum required contribution for all prior years	**28**	0
29 Discounted employer contributions allocated toward unpaid minimum required contributions from prior years (item 19a)	**29**	0
30 Remaining amount of unpaid minimum required contributions (item 28 minus item 29)	**30**	0

Part VIII Minimum required contribution for current year

31 Target normal cost, adjusted, if applicable (see instructions)	**31**		26659853
32 Amortization installments:		Outstanding Balance	Installment
a Net shortfall amortization installment		0	0
b Waiver amortization installment		0	0
33 If a waiver has been approved for this plan year, enter the date of the ruling letter granting the approval (Month _____ Day _____ Year _____) and the waived amount	**33**		0
34 Total funding requirement before reflecting carryover/prefunding balances (item 31 + item 32a + item 32b – item 33)	**34**		26659853

	Carryover balance	Prefunding balance	Total balance
35 Balances used to offset funding requirement	0	0	0

36 Additional cash requirement (item 34 minus item 35)	**36**	26659853
37 Contributions allocated toward minimum required contribution for current year adjusted to valuation date (Item 19c)	**37**	123857190
38 Interest-adjusted excess contributions for current year (see instructions)	**38**	97197337
39 Unpaid minimum required contribution for current year (excess, if any, of item 36 over item 37)	**39**	0
40 Unpaid minimum required contribution for all years	**40**	0

SCHEDULE D (Form 5500)

Department of the Treasury
Internal Revenue Service

Department of Labor
Employee Benefits Security Administration

DFE/Participating Plan Information

This schedule is required to be filed under section 104 of the Employee Retirement Income Security Act of 1974 (ERISA).

▶ **File as an attachment to Form 5500.**

OMB No. 1210-0110

2009

This Form is Open to Public Inspection.

For calendar plan year 2009 or fiscal plan year beginning 01/01/2009 and ending 12/31/2009

A Name of plan
CINERGY CORP. NON-UNION EMPLOYEES' PENSION PLAN

B Three-digit plan number (PN) ▶ 005

C Plan or DFE sponsor's name as shown on line 2a of Form 5500
CINERGY CORP.

D Employer Identification Number (EIN)
31-1385023

Part I **Information on interests in MTIAs, CCTs, PSAs, and 103-12 IEs (to be completed by plans and DFEs)**
(Complete as many entries as needed to report all interests in DFEs)

a Name of MTIA, CCT, PSA, or 103-12 IE: DUKE ENERGY CORP RETIREMENT TRUST

b Name of sponsor of entity listed in (a): DUKE ENERGY CORPORATION

c EIN-PN	**d** Entity code	**e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)
20-2777218-005	M	1088982978

a Name of MTIA, CCT, PSA, or 103-12 IE:

b Name of sponsor of entity listed in (a):

c EIN-PN	**d** Entity code	**e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)

a Name of MTIA, CCT, PSA, or 103-12 IE:

b Name of sponsor of entity listed in (a):

c EIN-PN	**d** Entity code	**e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)

a Name of MTIA, CCT, PSA, or 103-12 IE:

b Name of sponsor of entity listed in (a):

c EIN-PN	**d** Entity code	**e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)

a Name of MTIA, CCT, PSA, or 103-12 IE:

b Name of sponsor of entity listed in (a):

c EIN-PN	**d** Entity code	**e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)

a Name of MTIA, CCT, PSA, or 103-12 IE:

b Name of sponsor of entity listed in (a):

c EIN-PN	**d** Entity code	**e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)

a Name of MTIA, CCT, PSA, or 103-12 IE:

b Name of sponsor of entity listed in (a):

c EIN-PN	**d** Entity code	**e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)

a Name of MTIA, CCT, PSA, or 103-12 IE:

b Name of sponsor of entity listed in (a):

c EIN-PN	**d** Entity code	**e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)

a Name of MTIA, CCT, PSA, or 103-12 IE:

b Name of sponsor of entity listed in (a):

c EIN-PN	**d** Entity code	**e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)

a Name of MTIA, CCT, PSA, or 103-12 IE:

b Name of sponsor of entity listed in (a):

c EIN-PN	**d** Entity code	**e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)

a Name of MTIA, CCT, PSA, or 103-12 IE:

b Name of sponsor of entity listed in (a):

c EIN-PN	**d** Entity code	**e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)

a Name of MTIA, CCT, PSA, or 103-12 IE:

b Name of sponsor of entity listed in (a):

c EIN-PN	**d** Entity code	**e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)

a Name of MTIA, CCT, PSA, or 103-12 IE:

b Name of sponsor of entity listed in (a):

c EIN-PN	**d** Entity code	**e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)

a Name of MTIA, CCT, PSA, or 103-12 IE:

b Name of sponsor of entity listed in (a):

c EIN-PN	**d** Entity code	**e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)

a Name of MTIA, CCT, PSA, or 103-12 IE:

b Name of sponsor of entity listed in (a):

c EIN-PN	**d** Entity code	**e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)

a Name of MTIA, CCT, PSA, or 103-12 IE:

b Name of sponsor of entity listed in (a):

c EIN-PN	**d** Entity code	**e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)

a Name of MTIA, CCT, PSA, or 103-12 IE:

b Name of sponsor of entity listed in (a):

c EIN-PN	**d** Entity code	**e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)

Part II Information on Participating Plans (to be completed by DFEs)

(Complete as many entries as needed to report all participating plans)

a Plan name

b Name of plan sponsor	**c** EIN-PN

a Plan name

b Name of plan sponsor	**c** EIN-PN

a Plan name

b Name of plan sponsor	**c** EIN-PN

a Plan name

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a Plan name

b Name of plan sponsor	**c** EIN-PN

a Plan name

b Name of plan sponsor	**c** EIN-PN

a Plan name

b Name of plan sponsor	**c** EIN-PN

a Plan name

b Name of plan sponsor	**c** EIN-PN

SCHEDULE H (Form 5500)

Department of the Treasury
Internal Revenue Service

Department of Labor
Employee Benefits Security Administration

Pension Benefit Guaranty Corporation

Financial Information

This schedule is required to be filed under section 104 of the Employee Retirement Income Security Act of 1974 (ERISA), and section 6058(a) of the Internal Revenue Code (the Code).

▶ **File as an attachment to Form 5500.**

OMB No. 1210-0110

2009

This Form is Open to Public Inspection

For calendar plan year 2009 or fiscal plan year beginning 01/01/2009 and ending 12/31/2009

A Name of plan
CINERGY CORP. NON-UNION EMPLOYEES' PENSION PLAN

B Three-digit plan number (PN) ▶ 005

C Plan sponsor's name as shown on line 2a of Form 5500
CINERGY CORP.

D Employer Identification Number (EIN)
31-1385023

Part I Asset and Liability Statement

1 Current value of plan assets and liabilities at the beginning and end of the plan year. Combine the value of plan assets held in more than one trust. Report the value of the plan's interest in a commingled fund containing the assets of more than one plan on a line-by-line basis unless the value is reportable on lines 1c(9) through 1c(14). Do not enter the value of that portion of an insurance contract which guarantees, during this plan year, to pay a specific dollar benefit at a future date. **Round off amounts to the nearest dollar.** MTIAs, CCTs, PSAs, and 103-12 IEs do not complete lines 1b(1), 1b(2), 1c(8), 1g, 1h, and 1i. CCTs, PSAs, and 103-12 IEs also do not complete lines 1d and 1e. See instructions.

Assets		(a) Beginning of Year	(b) End of Year
a Total noninterest-bearing cash	1a	13530	486006
b Receivables (less allowance for doubtful accounts):			
(1) Employer contributions	1b(1)	200500000	
(2) Participant contributions	1b(2)		
(3) Other	1b(3)	36678599	27834945
c General investments:			
(1) Interest-bearing cash (include money market accounts & certificates of deposit)	1c(1)		
(2) U.S. Government securities	1c(2)		
(3) Corporate debt instruments (other than employer securities):			
(A) Preferred	1c(3)(A)		
(B) All other	1c(3)(B)		
(4) Corporate stocks (other than employer securities):			
(A) Preferred	1c(4)(A)		
(B) Common	1c(4)(B)		
(5) Partnership/joint venture interests	1c(5)		
(6) Real estate (other than employer real property)	1c(6)		
(7) Loans (other than to participants)	1c(7)		
(8) Participant loans	1c(8)		
(9) Value of interest in common/collective trusts	1c(9)		
(10) Value of interest in pooled separate accounts	1c(10)		
(11) Value of interest in master trust investment accounts	1c(11)	628902349	1088982978
(12) Value of interest in 103-12 investment entities	1c(12)		
(13) Value of interest in registered investment companies (e.g., mutual funds)	1c(13)		
(14) Value of funds held in insurance company general account (unallocated contracts)	1c(14)		
(15) Other	1c(15)		

			(a) Beginning of Year	(b) End of Year
1d	Employer-related investments:			
	(1) Employer securities	1d(1)		
	(2) Employer real property	1d(2)		
e	Buildings and other property used in plan operation	1e		
f	Total assets (add all amounts in lines 1a through 1e)	1f	866094478	1117303929
	Liabilities			
g	Benefit claims payable	1g		
h	Operating payables	1h		
i	Acquisition indebtedness	1i		
j	Other liabilities	1j	32097811	2754129
k	Total liabilities (add all amounts in lines 1g through1j)	1k	32097811	2754129
	Net Assets			
l	Net assets (subtract line 1k from line 1f)	1l	833996667	1114549800

Part II Income and Expense Statement

2 Plan income, expenses, and changes in net assets for the year. Include all income and expenses of the plan, including any trust(s) or separately maintained fund(s) and any payments/receipts to/from insurance carriers. Round off amounts to the nearest dollar. MTIAs, CCTs, PSAs, and 103-12 IEs do not complete lines 2a, 2b(1)(E), 2e, 2f, and 2g.

	Income		(a) Amount	(b) Total
a	**Contributions:**			
	(1) Received or receivable in cash from: **(A)** Employers	2a(1)(A)	131872000	
	(B) Participants	2a(1)(B)		
	(C) Others (including rollovers)	2a(1)(C)		
	(2) Noncash contributions	2a(2)		
	(3) Total contributions. Add lines **2a(1)(A), (B), (C),** and line **2a(2)**	2a(3)		131872000
b	**Earnings on investments:**			
	(1) Interest:			
	(A) Interest-bearing cash (including money market accounts and certificates of deposit)	2b(1)(A)		
	(B) U.S. Government securities	2b(1)(B)		
	(C) Corporate debt instruments	2b(1)(C)		
	(D) Loans (other than to participants)	2b(1)(D)		
	(E) Participant loans	2b(1)(E)		
	(F) Other	2b(1)(F)		
	(G) Total interest. Add lines **2b(1)(A)** through **(F)**	2b(1)(G)		0
	(2) Dividends: **(A)** Preferred stock	2b(2)(A)		
	(B) Common stock	2b(2)(B)		
	(C) Registered investment company shares (e.g. mutual funds)	2b(2)(C)		
	(D) Total dividends. Add lines **2b(2)(A)**, **(B)**, and **(C)**	2b(2)(D)		0
	(3) Rents	2b(3)		
	(4) Net gain (loss) on sale of assets: **(A)** Aggregate proceeds	2b(4)(A)		
	(B) Aggregate carrying amount (see instructions)	2b(4)(B)		
	(C) Subtract line **2b(4)(B)** from line **2b(4)(A)** and enter result	2b(4)(C)		0

			(a) Amount	(b) Total
2b	(5) Unrealized appreciation (depreciation) of assets: (A) Real estate	2b(5)(A)		
	(B) Other	2b(5)(B)		
	(C) Total unrealized appreciation of assets. Add lines 2b(5)(A) and (B)	2b(5)(C)		0
	(6) Net investment gain (loss) from common/collective trusts	2b(6)		
	(7) Net investment gain (loss) from pooled separate accounts	2b(7)		
	(8) Net investment gain (loss) from master trust investment accounts	2b(8)		211702472
	(9) Net investment gain (loss) from 103-12 investment entities	2b(9)		
	(10) Net investment gain (loss) from registered investment companies (e.g., mutual funds)	2b(10)		
c	Other income	2c		
d	Total income. Add all **income** amounts in column (b) and enter total	2d		343574472
	Expenses			
e	Benefit payment and payments to provide benefits:			
	(1) Directly to participants or beneficiaries, including direct rollovers	2e(1)	76315188	
	(2) To insurance carriers for the provision of benefits	2e(2)		
	(3) Other	2e(3)		
	(4) Total benefit payments. Add lines 2e(1) through (3)	2e(4)		76315188
f	Corrective distributions (see instructions)	2f		
g	Certain deemed distributions of participant loans (see instructions)	2g		
h	Interest expense	2h		
i	Administrative expenses: (1) Professional fees	2i(1)		
	(2) Contract administrator fees	2i(2)		
	(3) Investment advisory and management fees	2i(3)	4203306	
	(4) Other	2i(4)		
	(5) Total administrative expenses. Add lines 2i(1) through (4)	2i(5)		4203306
j	Total expenses. Add all **expense** amounts in column (b) and enter total	2j		80518494
	Net Income and Reconciliation			
k	Net income (loss). Subtract line 2j from line 2d	2k		263055978
l	Transfers of assets:			
	(1) To this plan	2l(1)		17497155
	(2) From this plan	2l(2)		0

Part III Accountant's Opinion

3 Complete lines 3a through 3c if the opinion of an independent qualified public accountant is attached to this Form 5500. Complete line 3d if an opinion is not attached.

a The attached opinion of an independent qualified public accountant for this plan is (see instructions):

(1) [ ] Unqualified **(2)** [ ] Qualified **(3)** [X] Disclaimer **(4)** [ ] Adverse

b Did the accountant perform a limited scope audit pursuant to 29 CFR 2520.103-8 and/or 103-12(d)? [X] Yes [ ] No

c Enter the name and EIN of the accountant (or accounting firm) below:

(1) Name: MCCONNELL & JONES, LLP **(2)** EIN: 76-0488832

d The opinion of an independent qualified public accountant is **not attached** because:

(1) [ ] This form is filed for a CCT, PSA, or MTIA. **(2)** [ ] It will be attached to the next Form 5500 pursuant to 29 CFR 2520.104-50.

Part IV Compliance Questions

4 CCTs and PSAs do not complete Part IV. MTIAs, 103-12 IEs, and GIAs do not complete 4a, 4e, 4f, 4g, 4h, 4k, 4m, 4n, or 5. 103-12 IEs also do not complete 4j and 4l. MTIAs also do not complete 4l.

During the plan year:

		Yes	No	Amount
a	Was there a failure to transmit to the plan any participant contributions within the time period described in 29 CFR 2510.3-102? Continue to answer "Yes" for any prior year failures until fully corrected. (See instructions and DOL's Voluntary Fiduciary Correction Program.)	4a		X	
b	Were any loans by the plan or fixed income obligations due the plan in default as of the close of the plan year or classified during the year as uncollectible? Disregard participant loans secured by participant's account balance. (Attach Schedule G (Form 5500) Part I if "Yes" is checked.)	4b		X	
c	Were any leases to which the plan was a party in default or classified during the year as uncollectible? (Attach Schedule G (Form 5500) Part II if "Yes" is checked.)	4c		X	
d	Were there any nonexempt transactions with any party-in-interest? (Do not include transactions reported on line 4a. Attach Schedule G (Form 5500) Part III if "Yes" is checked.)	4d		X	
e	Was this plan covered by a fidelity bond?	4e	X		25000000
f	Did the plan have a loss, whether or not reimbursed by the plan's fidelity bond, that was caused by fraud or dishonesty?	4f		X	
g	Did the plan hold any assets whose current value was neither readily determinable on an established market nor set by an independent third party appraiser?	4g		X	
h	Did the plan receive any noncash contributions whose value was neither readily determinable on an established market nor set by an independent third party appraiser?	4h		X	
i	Did the plan have assets held for investment? (Attach schedule(s) of assets if "Yes" is checked, and see instructions for format requirements.)	4i		X	
j	Were any plan transactions or series of transactions in excess of 5% of the current value of plan assets? (Attach schedule of transactions if "Yes" is checked, and see instructions for format requirements.)	4j		X	
k	Were all the plan assets either distributed to participants or beneficiaries, transferred to another plan, or brought under the control of the PBGC?	4k		X	
l	Has the plan failed to provide any benefit when due under the plan?	4l		X	
m	If this is an individual account plan, was there a blackout period? (See instructions and 29 CFR 2520.101-3.)	4m		X	
n	If 4m was answered "Yes," check the "Yes" box if you either provided the required notice or one of the exceptions to providing the notice applied under 29 CFR 2520.101-3.	4n			

5a Has a resolution to terminate the plan been adopted during the plan year or any prior plan year? If yes, enter the amount of any plan assets that reverted to the employer this year ☐ **Yes** ☒ **No** **Amount:**

5b If, during this plan year, any assets or liabilities were transferred from this plan to another plan(s), identify the plan(s) to which assets or liabilities were transferred. (See instructions.)

5b(1) Name of plan(s)	**5b(2)** EIN(s)	**5b(3)** PN(s)
CINERGY CORP UNION EMPLOYEES' PENSION PLAN	20-2777218	010
CINERGY CORP UNION EMPLOYEES' RETIREMENT INCOME PLAN	20-2777218	009

SCHEDULE R (Form 5500)

Department of the Treasury
Internal Revenue Service

Department of Labor
Employee Benefits Security Administration

Pension Benefit Guaranty Corporation

Retirement Plan Information

This schedule is required to be filed under section 104 and 4065 of the Employee Retirement Income Security Act of 1974 (ERISA) and section 6058(a) of the Internal Revenue Code (the Code).

▶ **File as an attachment to Form 5500.**

OMB No. 1210-0110

2009

This Form is Open to Public Inspection.

For calendar plan year 2009 or fiscal plan year beginning 01/01/2009 and ending 12/31/2009

A Name of plan
CINERGY CORP. NON-UNION EMPLOYEES' PENSION PLAN

B Three-digit plan number (PN) ▶ 005

C Plan sponsor's name as shown on line 2a of Form 5500
CINERGY CORP.

D Employer Identification Number (EIN)
31-1385023

Part I Distributions

All references to distributions relate only to payments of benefits during the plan year.

1 Total value of distributions paid in property other than in cash or the forms of property specified in the instructions **1**

2 Enter the EIN(s) of payor(s) who paid benefits on behalf of the plan to participants or beneficiaries during the year (if more than two, enter EINs of the two payors who paid the greatest dollar amounts of benefits):

EIN(s): 36-3046063

Profit-sharing plans, ESOPs, and stock bonus plans, skip line 3.

3 Number of participants (living or deceased) whose benefits were distributed in a single sum, during the plan year **3** 38

Part II Funding Information (If the plan is not subject to the minimum funding requirements of section of 412 of the Internal Revenue Code or ERISA section 302, skip this Part)

4 Is the plan administrator making an election under Code section 412(d)(2) or ERISA section 302(d)(2)? ..... ☐ **Yes** ☒ **No** ☐ **N/A**

If the plan is a defined benefit plan, go to line 8.

5 If a waiver of the minimum funding standard for a prior year is being amortized in this plan year, see instructions and enter the date of the ruling letter granting the waiver. **Date:** Month _____ Day _____ Year _____

If you completed line 5, complete lines 3, 9, and 10 of Schedule MB and do not complete the remainder of this schedule.

6 **a** Enter the minimum required contribution for this plan year **6a**

b Enter the amount contributed by the employer to the plan for this plan year **6b**

c Subtract the amount in line 6b from the amount in line 6a. Enter the result (enter a minus sign to the left of a negative amount) **6c**

If you completed line 6c, skip lines 8 and 9.

7 Will the minimum funding amount reported on line 6c be met by the funding deadline? ..... ☐ **Yes** ☐ **No** ☐ **N/A**

8 If a change in actuarial cost method was made for this plan year pursuant to a revenue procedure providing automatic approval for the change or a class ruling letter, does the plan sponsor or plan administrator agree with the change? ..... ☐ **Yes** ☐ **No** ☒ **N/A**

Part III Amendments

9 If this is a defined benefit pension plan, were any amendments adopted during this plan year that increased or decreased the value of benefits? If yes, check the appropriate box(es). If no, check the "No" box. ..... ☐ **Increase** ☐ **Decrease** ☒ **Both** ☐ **No**

Part IV ESOPs (see instructions). If this is not a plan described under Section 409(a) or 4975(e)(7) of the Internal Revenue Code, skip this Part.

10 Were unallocated employer securities or proceeds from the sale of unallocated securities used to repay any exempt loan? ..... ☐ **Yes** ☐ **No**

11 **a** Does the ESOP hold any preferred stock? ..... ☐ **Yes** ☐ **No**

b If the ESOP has an outstanding exempt loan with the employer as lender, is such loan part of a "back-to-back" loan? (See instructions for definition of "back-to-back" loan.) ..... ☐ **Yes** ☐ **No**

12 Does the ESOP hold any stock that is not readily tradable on an established securities market? ..... ☐ **Yes** ☐ **No**

Part V Additional Information for Multiemployer Defined Benefit Pension Plans

13 Enter the following information for each employer that contributed more than 5% of total contributions to the plan during the plan year (measured in dollars). See instructions. *Complete as many entries as needed to report all applicable employers.*

a Name of contributing employer

b EIN **c** Dollar amount contributed by employer

d Date collective bargaining agreement expires *(If employer contributes under more than one collective bargaining agreement, check box ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.)* Month _____ Day _____ Year _____

e Contribution rate information *(If more than one rate applies, check this box ☐ and see instructions regarding required attachment. Otherwise, complete items 13e(1) and 13e(2).)*
(1) Contribution rate (in dollars and cents) _____
(2) Base unit measure: ☐ Hourly ☐ Weekly ☐ Unit of production ☐ Other (specify):

---

a Name of contributing employer

b EIN **c** Dollar amount contributed by employer

d Date collective bargaining agreement expires *(If employer contributes under more than one collective bargaining agreement, check box ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.)* Month _____ Day _____ Year _____

e Contribution rate information *(If more than one rate applies, check this box ☐ and see instructions regarding required attachment. Otherwise, complete items 13e(1) and 13e(2).)*
(1) Contribution rate (in dollars and cents) _____
(2) Base unit measure: ☐ Hourly ☐ Weekly ☐ Unit of production ☐ Other (specify):

---

a Name of contributing employer

b EIN **c** Dollar amount contributed by employer

d Date collective bargaining agreement expires *(If employer contributes under more than one collective bargaining agreement, check box ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.)* Month _____ Day _____ Year _____

e Contribution rate information *(If more than one rate applies, check this box ☐ and see instructions regarding required attachment. Otherwise, complete items 13e(1) and 13e(2).)*
(1) Contribution rate (in dollars and cents) _____
(2) Base unit measure: ☐ Hourly ☐ Weekly ☐ Unit of production ☐ Other (specify):

---

a Name of contributing employer

b EIN **c** Dollar amount contributed by employer

d Date collective bargaining agreement expires *(If employer contributes under more than one collective bargaining agreement, check box ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.)* Month _____ Day _____ Year _____

e Contribution rate information *(If more than one rate applies, check this box ☐ and see instructions regarding required attachment. Otherwise, complete items 13e(1) and 13e(2).)*
(1) Contribution rate (in dollars and cents) _____
(2) Base unit measure: ☐ Hourly ☐ Weekly ☐ Unit of production ☐ Other (specify):

---

a Name of contributing employer

b EIN **c** Dollar amount contributed by employer

d Date collective bargaining agreement expires *(If employer contributes under more than one collective bargaining agreement, check box ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.)* Month _____ Day _____ Year _____

e Contribution rate information *(If more than one rate applies, check this box ☐ and see instructions regarding required attachment. Otherwise, complete items 13e(1) and 13e(2).)*
(1) Contribution rate (in dollars and cents) _____
(2) Base unit measure: ☐ Hourly ☐ Weekly ☐ Unit of production ☐ Other (specify):

---

a Name of contributing employer

b EIN **c** Dollar amount contributed by employer

d Date collective bargaining agreement expires *(If employer contributes under more than one collective bargaining agreement, check box ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.)* Month _____ Day _____ Year _____

e Contribution rate information *(If more than one rate applies, check this box ☐ and see instructions regarding required attachment. Otherwise, complete items 13e(1) and 13e(2).)*
(1) Contribution rate (in dollars and cents) _____
(2) Base unit measure: ☐ Hourly ☐ Weekly ☐ Unit of production ☐ Other (specify):

---

a Name of contributing employer

b EIN **c** Dollar amount contributed by employer

d Date collective bargaining agreement expires *(If employer contributes under more than one collective bargaining agreement, check box ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.)* Month _____ Day _____ Year _____

e Contribution rate information *(If more than one rate applies, check this box ☐ and see instructions regarding required attachment. Otherwise, complete items 13e(1) and 13e(2).)*
(1) Contribution rate (in dollars and cents) _____
(2) Base unit measure: ☐ Hourly ☐ Weekly ☐ Unit of production ☐ Other (specify):

14 Enter the number of participants on whose behalf no contributions were made by an employer as an employer of the participant for:

a The current year	**14a**	
b The plan year immediately preceding the current plan year	**14b**	
c The second preceding plan year	**14c**	

15 Enter the ratio of the number of participants under the plan on whose behalf no employer had an obligation to make an employer contribution during the current plan year to:

a The corresponding number for the plan year immediately preceding the current plan year	**15a**	
b The corresponding number for the second preceding plan year	**15b**	

16 Information with respect to any employers who withdrew from the plan during the preceding plan year:

a Enter the number of employers who withdrew during the preceding plan year	**16a**	
b If item 16a is greater than 0, enter the aggregate amount of withdrawal liability assessed or estimated to be assessed against such withdrawn employers	**16b**	

17 If assets and liabilities from another plan have been transferred to or merged with this plan during the plan year, check box and see instructions regarding supplemental information to be included as an attachment. ☐

Part VI Additional Information for Single-Employer and Multiemployer Defined Benefit Pension Plans

18 If any liabilities to participants or their beneficiaries under the plan as of the end of the plan year consist (in whole or in part) of liabilities to such participants and beneficiaries under two or more pension plans as of immediately before such plan year, check box and see instructions regarding supplemental information to be included as an attachment ☒

19 If the total number of participants is 1,000 or more, complete items (a) through (c)

a Enter the percentage of plan assets held as:
Stock: 56% Investment-Grade Debt: 34% High-Yield Debt: 2% Real Estate: 5% Other: 3%

b Provide the average duration of the combined investment-grade and high-yield debt:
☐ 0-3 years ☐ 3-6 years ☐ 6-9 years ☒ 9-12 years ☐ 12-15 years ☐ 15-18 years ☐ 18-21 years ☐ 21 years or more

c What duration measure was used to calculate item 19(b)?
☐ Effective duration ☐ Macaulay duration ☒ Modified duration ☐ Other (specify):

MJ McCONNELL & JONES LLP
CERTIFIED PUBLIC ACCOUNTANTS

Independent Auditors' Report

To the Benefits Committee of Duke Energy Corporation
Charlotte, North Carolina

We were engaged to audit the accompanying financial statements, listed in the Table of Contents, of the Cinergy Corp. Non-Union Employees' Pension Plan (the "Plan") as of December 31, 2009 and 2008, and for the years then ended. These financial statements are the responsibility of the Plan's management.

As permitted by 29 CFR 2520.103-8 of the Department of Labor's ("DOL") Rules and Regulations for Reporting and Disclosure under the Employee Retirement Income Security Act of 1974, as amended ("ERISA"), the plan administrator instructed us not to perform, and we did not perform, any auditing procedures with respect to the information summarized in Note 3, which was certified by the Northern Trust Company, the trustee of the Plan and the Duke Energy Corporation Master Retirement Trust ("Master Trust") in which the Plan has a beneficial interest, except for comparing the information with the related information included in the financial statements. We have been informed by the plan administrator that the trustee holds the investment assets of the Plan and the Master Trust and executes investment transactions. The plan administrator has obtained a certification from the trustee as of December 31, 2009 and 2008 and for the years then ended, that the information provided to the plan administrator by the trustee is complete and accurate.

Because of the significance of the information that we did not audit, we are unable to, and do not, express an opinion on the accompanying financial statements taken as a whole. The form and content of the information included in the financial statements, other than that derived from the information certified by the trustee, have been audited by us in accordance with auditing standards generally accepted in the United States of America and, in our opinion, are presented in compliance with the DOL's Rules and Regulations for Reporting and Disclosure under the ERISA.

McConnell & Jones LLP

Houston, Texas
September 27, 2010

3040 Post Oak Blvd., Suite 1600
Houston, TX 77056
Phone: 713.968.1600
Fax: 713.968.1601

WWW.MCCONNELLJONES.COM

SCHEDULE SB (Form 5500)

Department of the Treasury
Internal Revenue Service

Department of Labor
Employee Benefits Security Administration

Pension Benefit Guaranty Corporation

Single-Employer Defined Benefit Plan Actuarial Information

This schedule is required to be filed under section 104 of the Employee Retirement Income Security Act of 1974 (ERISA) and section 6059 of the Internal Revenue Code (the Code).

▶ **File as an attachment to Form 5500 or 5500-SF.**

OMB No. 1210-0110

2009

This Form is Open to Public Inspection

For calendar plan year 2009 or fiscal plan year beginning 01/01/2009 and ending 12/31/2009

▶ **Round off amounts to nearest dollar.**

▶ **Caution:** A penalty of $1,000 will be assessed for late filing of this report unless reasonable cause is established.

A Name of plan: Cinergy Corp. Non-Union Employees' Pension Plan

B Three-digit plan number (PN) ▶ 005

C Plan sponsor's name as shown on line 2a of Form 5500 or 5500-SF: Cinergy Corp.

D Employer Identification Number (EIN): 31-1385023

E Type of plan: [X] Single [ ] Multiple-A [ ] Multiple-B

F Prior year plan size: [ ] 100 or fewer [ ] 101-500 [X] More than 500

Part I Basic Information

1 Enter the valuation date: Month 1 Day 1 Year 2009

2	Assets:			
	a Market value		**2a**	821,906,878
	b Actuarial value		**2b**	837,168,149
3	Funding target/participant count breakdown		**(1)** Number of participants	**(2)** Funding Target
	a For retired participants and beneficiaries receiving payment	**3a**	3,159	513,845,263
	b For terminated vested participants	**3b**	1,152	39,433,576
	c For active participants:			
	(1) Non-vested benefits	**3c(1)**		23,495,503
	(2) Vested benefits	**3c(2)**		256,919,892
	(3) Total active	**3c(3)**	2,688	280,415,395
	d Total	**3d**	6,999	833,694,234
4	If the plan is at-risk, check the box and complete items (a) and (b) [ ]			
	a Funding target disregarding prescribed at-risk assumptions		**4a**	
	b Funding target reflecting at-risk assumptions, but disregarding transition rule for plans that have been at-risk for fewer than five consecutive years and disregarding loading factor		**4b**	
5	Effective interest rate		**5**	8.29 %
6	Target normal cost		**6**	26,659,853

Statement by Enrolled Actuary

To the best of my knowledge, the information supplied in this schedule and accompanying schedules, statements and attachments, if any, is complete and accurate. Each prescribed assumption was applied in accordance with applicable law and regulations. In my opinion, each other assumption is reasonable (taking into account the experience of the plan and reasonable expectations) and such other assumptions, in combination, offer my best estimate of anticipated experience under the plan.

SIGN HERE

Jennifer A. Yanulavich J.Y.

Signature of actuary

09/16/2010

Date

Jennifer A. Yanulavich

Type or print name of actuary

08-06264

Most recent enrollment number

Hewitt Associates LLC

Firm name

(704) 347-0100

Telephone number (including area code)

201 S. College Street, Ste. 1550

Charlotte NC 28244

Address of the firm

If the actuary has not fully reflected any regulation or ruling promulgated under the statute in completing this schedule, check the box and see instructions [ ]

Part II Beginning of year carryover and prefunding balances

		(a) Carryover balance	(b) Prefunding balance
7	Balance at beginning of prior year after applicable adjustments (Item 13 from prior year)	163,343,718	0
8	Portion used to offset prior year's funding requirement (Item 35 from prior year)	31,091,334	0
9	Amount remaining (Item 7 minus item 8)	132,252,384	0
10	Interest on item 9 using prior year's actual return of (26.40)%	(34,914,629)	
11	Prior year's excess contributions to be added to prefunding balance:		
a	Excess contributions (Item 38 from prior year)		151,989,172
b	Interest on (a) using prior year's effective rate of 6.14 %		9,332,135
c	Total available at beginning of current plan year to add to prefunding balance		161,321,307
d	Portion of (c) to be added to prefunding balance		64,000,000
12	Reduction in balances due to elections or deemed elections	0	0
13	Balance at beginning of current year (item 9 + item 10 + item 11d - item 12)	97,337,755	64,000,000

Part III Funding percentages

14	Funding target attainment percentage	14	81.06 %
15	Adjusted funding target attainment percentage	15	100.41 %
16	Prior year's funding percentage for purposes of determining whether carryover/prefunding balances may be used to reduce current year's funding requirement	16	96.70 %
17	If the current value of the assets of the plan is less than 70 percent of the funding target, enter such percentage	17	%

Part IV Contributions and liquidity shortfalls

18 Contributions made to the plan for the plan year by employer(s) and employees:

(a) Date (MM-DD-YYYY)	(b) Amount paid by employer(s)	(c) Amount paid by employees	(a) Date (MM-DD-YYYY)	(b) Amount paid by employer(s)	(c) Amount paid by employees
02/02/2009	29,000,000				
12/29/2009	102,872,000				
			Totals ▶ 18(b)	131,872,000	18(c) 0

19 Discounted employer contributions - see instructions for small plan with a valuation date after the beginning of the year:

a	Contributions allocated toward unpaid minimum required contribution from prior years.	19a	0
b	Contributions made to avoid restrictions adjusted to valuation date	19b	0
c	Contributions allocated toward minimum required contribution for current year adjusted to valuation date	19c	123,857,190

20 Quarterly contributions and liquidity shortfalls:

a Did the plan have a "funding shortfall" for the prior year? [X] Yes [ ] No

b If 20a is "Yes," were required quarterly installments for the current year made in a timely manner? [X] Yes [ ] No

c If 20a is "Yes," see instructions and complete the following table as applicable:

Liquidity shortfall as of end of Quarter of this plan year

(1) 1st	(2) 2nd	(3) 3rd	(4) 4th
0	0	0	0

Part V Assumptions used to determine funding target and target normal cost

21 Discount rate:

a Segment rates:

1st segment: %	2nd segment: %	3rd segment: %	[X] N/A, full yield curve used

b Applicable month (enter code) **21b** 2

22 Weighted average retirement age **22** 60

23 Mortality table(s) (see instructions) [ ] Prescribed - combined [X] Prescribed - separate [ ] Substitute

Part VI Miscellaneous items

24 Has a change been made in the non-prescribed actuarial assumptions for the current plan year? If "Yes," see instructions regarding required attachment. ..... [X] Yes [ ] No

25 Has a method change been made for the current plan year? If "Yes," see instructions regarding required attachment. ..... [X] Yes [ ] No

26 Is the plan required to provide a Schedule of Active Participants? If "Yes," see instructions regarding required attachment ..... [X] Yes [ ] No

27 If the plan is eligible for (and is using) alternative funding rules, enter applicable code and see instructions regarding attachment **27**

Part VII Reconciliation of unpaid minimum required contributions for prior years

28 Unpaid minimum required contribution for all prior years **28** 0

29 Discounted employer contributions allocated toward unpaid minimum required contributions from prior years (item 19a) **29** 0

30 Remaining amount of unpaid minimum required contributions (item 28 minus item 29) **30** 0

Part VIII Minimum required contribution for current year

31 Target normal cost, adjusted, if applicable (see instructions) **31** 26,659,853

32 Amortization installments:	Outstanding Balance	Installment
a Net shortfall amortization installment	0	0
b Waiver amortization installment	0	0

33 If a waiver has been approved for this plan year, enter the date of the ruling letter granting the approval (Month _____ Day _____ Year _____) and the waived amount **33** 0

34 Total funding requirement before reflecting carryover/prefunding balances (item 31 + item 32a + item 32b - item 33) **34** 26,659,853

	Carryover balance	Prefunding balance	Total balance
35 Balances used to offset funding requirement	0	0	0

36 Additional cash requirement (item 34 minus item 35) **36** 26,659,853

37 Contributions allocated toward minimum required contribution for current year adjusted to valuation date (Item 19c) **37** 123,857,190

38 Interest-adjusted excess contributions for current year (see instructions) **38** 97,197,337

39 Unpaid minimum required contribution for current year (excess, if any, of item 36 over item 37) **39** 0

40 Unpaid minimum required contribution for all years **40** 0

Schedule SB Attachment (Form 5500)—2009 Plan Year
Cinergy Corp. Non-Union Employees' Pension Plan
EIN: 31-1385023 PN: 005

Schedule SB, line 19—Discounted Employer Contributions

Year applied for contributions: 2009

Date		Amount	Interest Rate		Interest Adjusted Contribution
February 2, 2009	$	29,000,000	8.29%	$	28,798,217
December 29, 2009		102,872,000	8.29%		95,058,973
Total Contribution	$	131,872,000		$	123,857,190

Schedule SB Attachment (Form 5500)—2009 Plan Year
Cinergy Corp. Non-Union Employees' Pension Plan
EIN: 31-1385023 PN: 005

Schedule SB, line 22—Description of Weighted Average Retirement Age

The average retirement age shown in line 22 has been calculated by assuming the following retirement rates and no decrements other than retirement for this calculation. All retirements are assumed to occur at mid-year, except for the 100% retirement age.

All Cash Balance Participants and Traditional Participants under age 50 as of January 1, 2007

(a) Age	(b) Rate	(c) Weight	(d) Product (a) × (b) × (c)
50.5	0.040	1.0000	2.02
51.5	0.040	0.9600	1.98
52.5	0.040	0.9216	1.94
53.5	0.040	0.8847	1.89
54.5	0.040	0.8493	1.85
55.5	0.040	0.8153	1.81
56.5	0.040	0.7827	1.77
57.5	0.040	0.7514	1.73
58.5	0.100	0.7213	4.22
59.5	0.100	0.6492	3.86
60.5	0.130	0.5843	4.60
61.5	0.150	0.5083	4.69
62.5	0.400	0.4321	10.80
63.5	0.200	0.2593	3.29
64.5	0.200	0.2074	2.68
65.5	0.750	0.1659	8.15
66.5	0.200	0.0415	0.55
67.0	1.000	0.0332	2.22
		Weighted Average	60.05

Traditional Participants age 50 or greater as of January 1, 2007

(a) Age	Assumed Service	(b) Rate	(c) Weight	(d) Product (a) × (b) × (c)
50.5	22	0.020	1.0000	1.01
51.5	23	0.020	0.9800	1.01
52.5	24	0.020	0.9604	1.01
53.5	25	0.020	0.9412	1.01
54.5	26	0.020	0.9224	1.01
55.5	27	0.020	0.9040	1.00
56.5	28	0.020	0.8859	1.00
57.5	29	0.250	0.8682	12.48
58.5	30+	0.250	0.6512	9.52
59.5	30+	0.250	0.4884	7.26
60.5	30+	0.250	0.3663	5.54
61.5	30+	0.300	0.2747	5.07
62.5	30+	0.400	0.1923	4.81
63.5	30+	0.300	0.1154	2.20
64.5	30+	0.300	0.0808	1.56
65.5	30+	0.750	0.0566	2.78
66.5	30+	0.200	0.0142	0.19
67.0	30+	1.000	0.0114	0.76
			Weighted Average	59.22

Retirement rates are based on age, service, and benefit program. The above calculation assumes an average 50 year old will have 22 years of service. Rates for each benefit program are then weighted based on the 1/1/2009 personnel distribution. Based on this distribution, we expected the average retirement age to be:

(26% x 59.22 + 74% x 60.05)= 59.83

Schedule SB, Part V—Statement of Actuarial Assumptions/Methods

Interest Rates	Based on the full Yield Curve for October 2008, with sample rates as follows:
Yield Curve	Duration 0 – 5.45%. Duration 5 – 8.25%. Duration 10 – 8.87%. Duration 15 – 8.65%. Duration 20 – 8.11%. Duration 25 – 7.71%. Duration 30 – 7.46%.
Salary Increases	
Minimum Funding Target Normal Cost	Based on estimated 2009 earnings and expected increase in vacation bank.
Cash Balance Interest Crediting Rate	4.00%.
Cash Balance Annuity Conversion Rate	Same as funding interest rates above.
Social Security Wage Base Increases	Future wage indices are based on a national wage increase of 4.00% per year.
Optional Payment Form Election Percentage	Cash Balance Participants. 100% Lump Sum. Traditional Plan Participants. 65% 100% Contingent Annuity. 35% Single Life Annuity. Traditional Choice Participants. 100% Lump Sum. For the 100% Contingent Annuity, if the spouse dies before the participant, the benefit payable to the participant is assumed to increase 25% to reflect the increased life annuity value.
Optional Payment Form Conversion Interest Rate	Same as funding interest rates above for lump sums.
Optional Payment Form Conversion Mortality	Current 417(e) table for lump sums.
Retirement Age	
Active Participants	See Tables 1-2.

Terminated Vested Participants	See Table 3.
Mortality Rates	
Healthy and Disabled	2009 Static Mortality Table for Annuitants and Non-Annuitants Per §1.430(h)(3)-1(e).
Withdrawal Rates	See Table 4.
Disability Rates	See Table 5.
Surviving Spouse Benefit	It is assumed that 85% of males and 85% of females have an eligible spouse, and that males are three years older than their spouses.
Valuation Compensation	
Before 2009	Actual historical pensionable earnings.
2009	2009 pensionable earnings are estimated to be the following percentage of 2008 pensionable earnings:

Age on January 1, 2009	Percentage
<35	100%
35-39	97%
40-44	96%
45 and older	95%

Complete earnings data through March 31, 2009 was not available for many NONU and Excess plan participants. As such, we developed the above assumption based on input from Duke Energy HR and 2008 to 2009 pay experience for other nonunion employees.

Vacation Bank	Final pay is assumed to increase for vacation buy-back based on actual vacation banks accrued to date for the calculation of accrued liabilities.
Benefit and Compensation Limits	Projected benefits and compensation are limited by the current IRC section 415 maximum benefit of $195,000 and the 401(a)(17) compensation limit of $245,000.
Valuation of Plan Assets	Average of the fair market value of assets over the current and prior 3 months. The average value of assets calculated in this manner is further limited to not less than 90% nor more than 110% of fair market value. A characteristic of this method is that the expected distribution of the value of plan assets is skewed toward understatement relative to the corresponding

	market values for expected long-term rates of return in excess of the third segment rate under IRC Section 430(h)(2)(C)(iii).
Rate of Return for Adjusting Funding Balances	The rate of return is calculated reflecting actual monthly cash flows into and out of the trust. Monthly cash flows are assumed to be at the beginning of the month.
Actuarial Method	Standard Unit Credit Cost Method.
Valuation Date	January 1, 2009.

Table 1

Retirement Rates - All Cash Balance Participants and Traditional Participants under age 50 as of January 1, 2007

Age	Rate
50	4.00%
51	4.00%
52	4.00%
53	4.00%
54	4.00%
55	4.00%
56	4.00%
57	4.00%
58	10.00%
59	10.00%
60	13.00%
61	15.00%
62	40.00%
63	20.00%
64	20.00%
65	75.00%
66	20.00%
67+	100.00%

Table 2—Page 1 of 2

Retirement Rates - Traditional Participants age 50 or greater as of January 1, 2007

	Years of Service					
Age	**0-19**	**20**	**21**	**22-23**	**24**	**25**
50	4.00%	2.00%	2.00%	2.00%	2.00%	2.00%
51	4.00%	2.00%	2.00%	2.00%	2.00%	2.00%
52	4.00%	2.00%	2.00%	2.00%	2.00%	2.00%
53	4.00%	2.00%	2.00%	2.00%	2.00%	2.00%
54	4.00%	2.00%	2.00%	2.00%	2.00%	2.00%
55	4.00%	2.00%	2.00%	2.00%	2.00%	2.00%
56	4.00%	2.00%	2.00%	2.00%	2.00%	2.00%
57	4.00%	2.00%	2.00%	2.00%	2.00%	2.00%
58	10.00%	10.00%	10.00%	10.00%	10.00%	10.00%
59	10.00%	10.00%	10.00%	10.00%	10.00%	10.00%
60	13.00%	13.00%	13.00%	13.00%	13.00%	25.00%
61	15.00%	15.00%	15.00%	15.00%	30.00%	30.00%
62	40.00%	40.00%	40.00%	40.00%	40.00%	40.00%
63	20.00%	20.00%	20.00%	30.00%	30.00%	30.00%
64	20.00%	20.00%	30.00%	30.00%	30.00%	30.00%
65	75.00%	75.00%	75.00%	75.00%	75.00%	75.00%
66	20.00%	20.00%	20.00%	20.00%	20.00%	20.00%
67+	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

Table 2—Page 2 of 2
Retirement Rates - Traditional Participants age 50 or greater as of January 1, 2007

	Years of Service				
Age	**26**	**27**	**28**	**29**	**30+**
50	2.00%	2.00%	2.00%	2.00%	2.00%
51	2.00%	2.00%	2.00%	2.00%	2.00%
52	2.00%	2.00%	2.00%	2.00%	2.00%
53	2.00%	2.00%	2.00%	2.00%	2.00%
54	2.00%	2.00%	2.00%	2.00%	2.00%
55	2.00%	2.00%	2.00%	2.00%	25.00%
56	2.00%	2.00%	2.00%	25.00%	25.00%
57	2.00%	2.00%	25.00%	25.00%	25.00%
58	10.00%	25.00%	25.00%	25.00%	25.00%
59	25.00%	25.00%	25.00%	25.00%	25.00%
60	25.00%	25.00%	25.00%	25.00%	25.00%
61	30.00%	30.00%	30.00%	30.00%	30.00%
62	40.00%	40.00%	40.00%	40.00%	40.00%
63	30.00%	30.00%	30.00%	30.00%	30.00%
64	30.00%	30.00%	30.00%	30.00%	30.00%
65	75.00%	75.00%	75.00%	75.00%	75.00%
66	20.00%	20.00%	20.00%	20.00%	20.00%
67+	100.00%	100.00%	100.00%	100.00%	100.00%

Table 3—Page 1 of 2
Termination Rates

	Years of Service					
Age	**0**	**1**	**2**	**3**	**4**	**5+**
15	33.00%	20.00%	19.00%	17.00%	16.00%	15.00%
16	33.00%	20.00%	19.00%	17.00%	16.00%	15.00%
17	33.00%	20.00%	19.00%	17.00%	16.00%	15.00%
18	33.00%	20.00%	19.00%	17.00%	16.00%	15.00%
19	33.00%	20.00%	19.00%	17.00%	16.00%	15.00%
20	33.00%	20.00%	19.00%	17.00%	16.00%	15.00%
21	33.00%	20.00%	19.00%	17.00%	16.00%	15.00%
22	33.00%	20.00%	19.00%	17.00%	16.00%	15.00%
23	33.00%	20.00%	19.00%	17.00%	16.00%	15.00%
24	33.00%	20.00%	19.00%	17.00%	16.00%	15.00%
25	25.00%	19.00%	18.00%	15.00%	14.00%	10.00%
26	25.00%	19.00%	18.00%	15.00%	14.00%	10.00%
27	25.00%	19.00%	18.00%	15.00%	14.00%	10.00%
28	25.00%	19.00%	18.00%	15.00%	14.00%	10.00%
29	25.00%	19.00%	18.00%	15.00%	14.00%	10.00%
30	22.00%	18.00%	17.00%	14.00%	12.00%	5.50%
31	22.00%	18.00%	17.00%	14.00%	12.00%	5.50%
32	22.00%	18.00%	17.00%	14.00%	12.00%	5.50%
33	22.00%	18.00%	17.00%	14.00%	12.00%	5.50%
34	22.00%	18.00%	17.00%	14.00%	12.00%	5.50%
35	20.00%	17.00%	16.00%	13.00%	11.00%	3.50%
36	20.00%	17.00%	16.00%	13.00%	11.00%	3.50%
37	20.00%	17.00%	16.00%	13.00%	11.00%	3.50%
38	20.00%	17.00%	16.00%	13.00%	11.00%	3.50%
39	20.00%	17.00%	16.00%	13.00%	11.00%	3.50%
40	17.00%	16.00%	15.00%	12.00%	10.00%	2.50%
41	17.00%	16.00%	15.00%	12.00%	10.00%	2.50%
42	17.00%	16.00%	15.00%	12.00%	10.00%	2.50%
43	17.00%	16.00%	15.00%	12.00%	10.00%	2.50%
44	17.00%	16.00%	15.00%	12.00%	10.00%	2.50%

Table 3—Page 2 of 2
Termination Rates

	Years of Service					
Age	**0**	**1**	**2**	**3**	**4**	**5+**
45	16.00%	15.00%	14.00%	11.00%	8.00%	2.00%
46	16.00%	15.00%	14.00%	11.00%	8.00%	2.00%
47	16.00%	15.00%	14.00%	11.00%	8.00%	2.00%
48	16.00%	15.00%	14.00%	11.00%	8.00%	2.00%
49	16.00%	15.00%	14.00%	11.00%	8.00%	2.00%
50	15.00%	14.00%	13.00%	10.00%	7.00%	2.00%
51	15.00%	14.00%	13.00%	10.00%	7.00%	2.00%
52	15.00%	14.00%	13.00%	10.00%	7.00%	2.00%
53	15.00%	14.00%	13.00%	10.00%	7.00%	2.00%
54	15.00%	14.00%	13.00%	10.00%	7.00%	2.00%
55+	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%

Table 4
Disability Rates

Age	Rate	Age	Rate
15	0.08%	45	0.25%
16	0.08%	46	0.28%
17	0.08%	47	0.32%
18	0.08%	48	0.35%
19	0.08%	49	0.39%
20	0.08%	50	0.42%
21	0.08%	51	0.49%
22	0.08%	52	0.56%
23	0.08%	53	0.62%
24	0.08%	54	0.69%
25	0.08%	55	0.76%
26	0.08%	56	0.91%
27	0.08%	57	1.06%
28	0.08%	58	1.20%
29	0.08%	59	1.35%
30	0.10%	60+	1.50%
31	0.11%		
32	0.11%		
33	0.12%		
34	0.12%		
35	0.13%		
36	0.14%		
37	0.15%		
38	0.15%		
39	0.16%		
40	0.17%		
41	0.19%		
42	0.20%		
43	0.22%		
44	0.23%		

Schedule SB, Part V—Summary of Plan Provisions

Effective Date	The plan was restated effective January 1, 2009.
Plan Year	January 1 to December 31.
Eligibility for Participation	Employees hired before July 1, 2008 (other than leased employees and legacy Duke employees) not covered by a collective bargaining agreement automatically participate in (or continue to participate) at the later of January 1, 2003, Employment Commencement Date, or age 18. Effective July 1, 2008 no new hires will enter this plan.
Normal Retirement	
Eligibility	Age 65.
Benefit	Retirement benefit is either based on a final average pay formula (“Traditional Program”), a cash balance account (“Cash Balance Program”) or a combination of both. Effective April 1, 2007, Traditional Plan participants were given the choice to stay in the Traditional Program and continue to accrue benefits or to enter the Cash Balance Program with a $0 opening account balance and a soft freeze (frozen credited service and increasing final average pay) on their Traditional Benefit. Effective January 1, 2007, the plan was amended to adopt the Duke Energy cash balance formula for new hires and for active Cinergy employees previously in the Balanced and Investor Programs. Certain prior accrued benefits are guaranteed as minimum benefits. Employees commencing participation after January 1, 2003 and before January 1, 2007 chose between the Balanced and Investor Programs. On January 1, 2003, the plan was amended to allow all existing participants a one time choice between the Traditional Program, the Balanced Program and the Investor Program.
Duke Energy Cash Balance Formula[1]	A cash balance benefit with monthly pay credits based on the following schedule: The cash balance account is credited monthly based on the interest rate in effect for the current month.

[1] See plan provision section of Retirement Cash Balance Plan report for more details regarding monthly pay and interest credits.

Prior to January 1, 2007, the Balanced and Investor Programs were as follows:

Balanced Program

A cash balance benefit with pay credits made on the last day of each plan year based on the following schedule:

Service	Pay Credits
Less than 6	3%
6 to 10	4%
11 or more	5%

Investor Program

A cash balance benefit with 2% pay credits made on the last day of each plan year.

Balanced and Investor cash balance accounts were credited on the last day of each plan year with interest equal to the average yield on 30-year Treasury securities for August of the prior plan year. This interest crediting is still used for terminations before January 1, 2007.

For both the prior Balanced and Investor Benefits, the participant's accrued benefit as of December 31, 2002 was converted to an opening balance.

Traditional Program

Effective January 1, 2007, the plan was amended to adopt a minimum benefit formula on benefit accruals beginning January 1, 2005. The benefit is the greater of Formula A or Formula B.

Formula A: 1.1% of FAP plus 0.5% of FAP in excess of Covered Compensation multiplied by service (maximum 35 years); plus 1.55% of FAP multiplied by service over 35 years.

Formula B: Lesser of 1.12% of FAP plus 0.5% of FAP in excess of Covered Compensation multiplied by service (maximum 35 years) or 1.163% of FAP multiplied by service (maximum 35 years); plus 1.492% of FAP multiplied by service over 35 years.

Early Retirement

Eligibility

Age 50 and three years of service. (Five years of service prior to January 1, 2007.)

Benefit

Traditional Program

A monthly benefit equal to the Normal Retirement benefit based on Years of Participation and Highest 3-Year Average Earnings at the date of termination. If payments begin before age 62, the payments are reduced by 6.67% per year for the first five years, 3.33% per year for the next four years, and by varying percentages thereafter. No reductions apply if a participant retires at age 55 with 85 age plus service points.

Cash Balance Program

Participants are always entitled to their entire vested cash balance at termination or retirement.

Vested Termination	
Eligibility	Three years of service. (Five years of service prior to January 1, 2007.)
Benefit	
Traditional Program	A monthly benefit equal to the Normal Retirement benefit based on Highest Average Earnings and years of Participation at the date of termination. Payments may begin after the eligibility requirements for Early Retirement have been satisfied. Vested Termination benefits that begin before Normal Retirement will be reduced 5% per year from age 65. Traditional Choice participants can receive this benefit as a lump sum any time after separation from the company.
Cash Balance Program	Participants are always entitled to their entire vested cash balance at termination or retirement.
Disability	
Eligibility	Participants are immediately vested upon disability. (Five years of service were required prior to January 1, 2007.)
Benefit	
Traditional Program	Normal Retirement benefit based on Highest Average Earnings at the date of disability and years of Participation at the date of retirement. Payments may begin after the eligibility requirements for Early Retirement have been satisfied. Disability benefits that begin before Normal Retirement will be reduced using the same reductions used for Early Retirement. Traditional Choice participants can receive this benefit as a lump sum any time after separation from the company.
Cash Balance Program	Participants are entitled to their entire vested cash balance upon disability.
Preretirement Death	
Eligibility	
Traditional Program	Married participants (Prior to January 1, 2007, five years of service were required.)
Cash Balance Program	All participants are immediately vested upon death and the benefit will be paid to the spouse, beneficiary or estate.

Benefit	
Traditional Program	Under age 50: 100% of Normal Retirement benefit as of the participant's date of death, reduced actuarially for 100% Contingent Annuitant option, and reduced for payment at the participant's earliest retirement eligibility. This benefit can be paid immediately as a lump sum for Traditional Choice participants. Age 50 and older: 100% of Normal Retirement benefit as of the participant's date of death, payable immediately, reduced as applicable for early payment.
Cash Balance Program	The participant's beneficiary is entitled to the entire vested cash balance upon the participant's death.
Voluntary Early Retirement Program (VERP)	The VERP was offered to certain employees who could attain an unreduced pension after given "3+3" age plus vesting service points. The VERP election period was from February 1, 2006 to February 21, 2006. Special enhanced pension benefits were available to all participants electing to retire under the VERP. Participants so electing would receive an unreduced pension provided they would attain 55 and 85 eligibility with the "3+3" age plus vesting service enhancement. Any applicable reductions for commencement of benefits prior to age 62 were waived.
Normal Form of Annuity	
Without Spouse	Life Annuity.
Cash Balance Participants with Spouse	100% Joint and Survivor Annuity.
Traditional Participants with Spouse	Contingent annuitant option actuarially equivalent to the retirement benefit payable for employee's lifetime. Participant receives reduced lifetime benefit and, in event of participant's death, 100% of reduced benefit continued to surviving spouse. If spouse dies before participant, benefit increases to life annuity value.
Optional Forms of Annuity	Employees hired after December 31, 2006: Life Annuity; Lump Sum; Contingent Annuitant (50% or 100%). Traditional Program Participants and Cash Balance participants who were participants as of December 31, 2006: Life annuity; Contingent Annuitant with "pop-up" (50%, 66 2/3% or 100%); 10-year Certain and Life; Life Annuity Level Income Option; 100% Contingent Annuitant Level Income Option with pop-up; Lump Sum (Cash Balance Program and Frozen Traditional Program).

Cash Balance Actuarial Equivalence	*Used to convert Cash Balance Account to a Single Life Annuity.*
Mortality	Applicable mortality under IRC Section 417(e).
Interest	Applicable interest under IRC Section 417(e). Look back month is August prior to the beginning of the Plan Year during which the Annuity Starting Date falls.
Actuarial Equivalence (Duke Account)	*Used to convert Duke Account Single Life Annuity to other optional forms with the exception of Lump Sums and Level Income Options.*
Mortality	1983 Group Annuity Mortality Weighted 50% male and 50% female.
Interest	7%.
Actuarial Equivalence (non-Duke Account)	*Used to convert Single Life Annuity to other optional forms with the exception of Lump Sums and Level Income Options.*
Mortality	Participants: UP-1984 Table. Beneficiaries and Contingent Annuitants: UP-1984 Table, with ages rated down three years.
Interest	7.5% per year.
Lump Sums and Level Income Option Actuarial Equivalence	
Mortality	Applicable mortality under IRC Section 417(e).
Interest	Applicable interest under IRC Section 417(e). Look back month is August prior to the beginning of the Plan Year during which the Annuity Starting Date falls.

Definitions

Participation	Employees (other than intermittent or temporary employees) generally earn one month of Participation for each calendar month in which he/she is a participant in the Plan and is credited with at least one hour of service. Other rules may apply prior to January 1, 1998.
Service	Employees (other than intermittent or temporary employees) generally earn one month of Service for each calendar month in which he/she is credited with at least one hour of service. Other rules may apply prior to January 1, 1998.
Earnings	Generally equal to total salary or wages, including overtime and bonuses, before any reductions under Section 125 and 401(k), but exclusive of any Company contributions to employee benefit plans and additional remuneration or expense reimbursement. Compensation considered for benefit purposes is limited based upon the provision of the IRC Section 401(a)(17).
Highest Average Earnings	Highest average annual Earnings for any three consecutive calendar years during the last 10 years of Participation.
Covered Compensation	35-year average of Social Security Wage Bases based on Year-of-Birth Table.

Changes in Plan Provisions Since the Prior Year

The January 1, 2009 funding valuation reflects the following plan changes:

- Plan was frozen to new participants effective July 1, 2008.
- An increase in the annual pay limit under IRC Section 401(a)(17) from $230,000 in 2008 to $245,000 in 2009.
- An increase in the annual maximum benefit limit from $185,000 in 2008 to $195,000 in 2009.

Recent History of Plan Amendments

The following changes were recognized in the 2008 funding valuation.

- Effective April 1, 2007, the plan was amended to give Traditional Plan participants a choice to stay in the Traditional Program or to enter the Cash Balance Program with a $0 opening account balance and a soft freeze on their Traditional Benefit (frozen credited service and increasing final average pay). Those choosing to move can receive their Traditional Benefit as a lump sum payment at retirement.
- An increase in the annual pay limit under IRC Section 401(a)(17) from $225,000 in 2007 to $230,000 in 2008.
- An increase in the annual maximum benefit limit from $180,000 in 2007 to $185,000 in 2008.

The following changes were recognized in the 2007 funding valuation.

- The legislated section 401(a)(17) recognizable pay limit increased from $220,000 for 2006 to $225,000 for 2007.

- The legislated section 415 dollar limit for defined benefit plans increased from $175,000 for 2006 to $180,000 for 2007 for retirements at the Social Security retirement age.

- Effective January 1, 2007, the plan was amended to adopt a minimum benefit formula for the Traditional Program on benefit accruals beginning January 1, 2005.

- Effective January 1, 2007, the plan was amended to accelerate the vesting schedule from five year cliff vesting to three year cliff vesting in accordance with the Pension Protection Act of 2006.

- Effective January 1, 2007, the plan was amended to adopt the Duke Energy cash balance formula for employees hired after December 31, 2006 and for those Cinergy employees previously in the Balanced and Investor Programs.

- A voluntary early retirement program was offered to certain employees who could attain an unreduced pension after given “3+3” age plus vesting service points. The VERP election period was from February 1, 2006 to February 21, 2006. Special enhanced pension benefits were available to all participants electing to retire in 2006 under the VERP.

- Effective April 1, 2007, the plan was amended to give Traditional Plan participants a choice to stay in the Traditional Program and continue to accrue benefits or to enter the Cash Balance Program with a $0 opening account balance and a soft freeze on their Traditional Benefit (frozen credited service and increasing final average pay). This amendment was adopted after January 1, 2007 and therefore was not included in the ERISA or FAS35 liabilities.

The following changes were recognized in the 2006 funding valuation.

- The Section 415 maximum benefit limit increased from $170,000 to $175,000; and

- The Section 401(a)(17) maximum considered compensation limit increased from $210,000 to $220,000.

The following changes were recognized in the 2005 funding valuation.

- The Traditional Program benefit multiplier was increased from 1.40% to 1.55% for service in excess of 35 years;

- The Section 415 maximum benefit limit increased from $165,000 to $170,000; and

- The Section 401 (a)(17) maximum considered compensation limit increased from $205,000 to $210,000.

The following changes were recognized in the 2004 funding valuation.

Voluntary Early Retirement Program (VERP)
Effective during 2003, enhanced benefits were granted under a Voluntary Early Retirement Program (VERP). The following enhanced benefits were payable from the plan and available to all participants electing to retire under the VERP (approximately 31).

Eligibility	Certain non-union employees who attained age 54 with 5 years of service by August 15,2003.
Enhanced Benefits	Separation Benefit-Two weeks of base pay for each whole year of service (payable as a lump sum or equivalent monthly annuity).
	Waiver of Early Payment Factor for Early Retirement-Any application of reductions for commencement prior to age 62 were waived.

Effective January 1,2004 the following changes in retirement plan limits were reflected:

- The Section 415 maximum benefit limit increased from $160,000 to $165,000; and

- The Section 401(a)(17) maximum considered compensation limit increased from $200,000 to $205,000.

Other Information
The target liability was calculated using the full yield curve based on corporate bond rates for October. As such, “2” was entered on line 21b as the applicable lookback month.

Schedule SB, line 25—Change in Method

The following method changes were made:

- A change in the asset valuation method from the 3-month (4-point) average value method without reflecting expected returns as of January 1, 2008 to the 3-month (4-point) smoothed value method reflecting expected returns as of January 1, 2009.

- A change in the interest rate basis from segment rated to the full yield curve with a two month lookback (October 2008 yield curve).

- An addition to the Target Normal Cost of assumed expenses payable from the trust, as required by WRERA.

These changes have automatic approval under final regulations, Notice 2009-22 or other IRS guidance.

Schedule SB Attachment (Form 5500)—2009 Plan Year
Cinergy Corp. Non-Union Employees' Pension Plan
EIN: 31-1385023 PN: 005

Schedule SB, line 26—Schedule of Active Participant Data as of January 1, 2009

Number of Participants, Average Compensation and Average Cash Balance Account

Attained Age	Years of Credited Service									
	<1	1-4	5-9	10-14	15-19	20-24	25-29	30-34	35-39	40+
<25	6	117 $25,449 $1,884								
25-29	2	105 $59,398 $5,724	37 $86,892 $10,160							
30-34		47 $68,249 $7,112	72 $92,944 $14,329	22 $91,675 $18,748						
35-39		45 $78,573 $10,492	98 $108,492 $20,737	35 $105,796 $23,408	54 $84,901 $22,725	2				
40-44	1	44 $68,060 $8,641	80 $103,233 $19,975	32 $99,879 $26,927	127 $100,268 $21,427	123 $100,584 $18,052	9			
45-49	2	36 $77,414 $10,539	76 $93,551 $15,637	28 $115,413 $19,463	67 $95,163 $19,912	128 $101,586 $19,616	174 $96,917 $16,389	32 $92,557 $10,412		
50-54		29 $87,006 $14,097	46 $87,831 $15,876	19	55 $90,702 $14,734	67 $96,854 $18,729	196 $104,175 $18,371	245 $106,215 $15,461	15	
55-59	2	17	31 $90,834 $11,409	10	35 $98,621 $20,042	33 $90,001 $11,150	66 $97,145 $11,373	69 $107,983 $16,809	58 $103,774 $17,066	4
60-64	1	5	17	7	12	11	8	4	8	10
65-69		2							2	1
70+										2

N-2688

Schedule R Attachment (Form 5500)—2009 Plan Year
Duke Energy Corporation
Cinergy Corp. Non-Union Employees' Pension Plan
EIN: 31-1385023 PN: 005

Schedule R, line 18—Funded Percentage of Plans Contributing to Liabilities of Plan Participants

Cinergy Corp. Non-Union Employees' Pension Plan
EIN: 31-1385023 PN: 005

Funding Target Attainment Percentage (FTAP), January 1, 2008	
(a) Value of Plan Assets	$ 971,517,597
(b) Funding Standard Carryover Balance (FSCB)	$ 163,343,718
(c) Prefunding Balance (PFB)	$ 0
(d) Not-At-Risk Funding Liability	$ 1,004,652,134
(e) Final FTAP: ((a) – (b) – (c)) / (d)	80.4%

Cinergy Corp. Union Employees' Retirement Income Plan
EIN: 31-1385023 PN: 001

Funding Target Attainment Percentage (FTAP), January 1, 2008	
(a) Value of Plan Assets	$ 432,340,250
(b) Funding Standard Carryover Balance (FSCB)	$ 66,306,621
(c) Prefunding Balance (PFB)	$ 0
(d) Not-At-Risk Funding Liability	$ 435,294,742
(e) Final FTAP: ((a) – (b) – (c)) / (d)	84.1%

Cinergy Corp. Union Employees' Pension Plan
EIN: 31-1385023 PN: 003

Funding Target Attainment Percentage (FTAP), January 1, 2008	
(a) Value of Plan Assets	$ 311,029,123
(b) Funding Standard Carryover Balance (FSCB)	$ 61,244,883
(c) Prefunding Balance (PFB)	$ 0
(d) Not-At-Risk Funding Liability	$ 301,258,394
(e) Final FTAP: ((a) – (b) – (c)) / (d)	82.9%

Trigen-Cinergy Solutions of Rochester, LLC Pension Plan
EIN: 13-4085349 PN: 002 (2008 Plan Year)
EIN: 20-2777218 PN: 007 (2009 Plan Year)

Funding Target Attainment Percentage (FTAP), January 1, 2008	
(a) Value of Plan Assets	$ 4,543,345
(b) Funding Standard Carryover Balance (FSCB)	$ 637,466
(c) Prefunding Balance (PFB)	$ 0
(d) Not-At-Risk Funding Liability	$ 4,924,980
(e) Final FTAP: ((a) – (b) – (c)) / (d)	79.3%

Schedule SB, line 24—Change in Actuarial Assumptions

The funding valuation reflects the following changes in conjunction with the implementation of PPA:

- A change in the interest rate assumption from the December full yield curve to the October full yield curve. See Actuarial Assumptions section for sample rates. This change has automatic approval under final regulations, Notice 2009-22 or other IRS guidance.

- The mortality assumption for healthy and disabled lives changed from the 2008 Static Mortality Table for Annuitants and Non-Annuitants Per §1.430(h)(3)-1(e) to the 2009 Static Mortality Table for Annuitants and Non-Annuitants Per §1.430(h)(3)-1(e). This change is required.

The following changes were made to better reflect anticipated experience:

- The cash balance interest crediting rate changed from 5.00% to 4.00%.

- The retirement rates for terminated vested participants were updated.

- The optional payment form election assumption for Traditional Choice participants was changed to 100% lump sum.

- Estimated administrative plan expenses were added to the funding target normal cost.

- The valuation compensation methodology was revised to reflect 2009 information.

Cinergy Corp. Non-Union Employees' Pension Plan

EIN: 31-1385023

PN: 005

The Plan Sponsor of the Cinergy Corp. Non-Union Employees' Pension Plan changed from Cinergy Corp. to Duke Energy Corporation effective January 1, 2010. Consequently, the EIN and Plan Number for the plan also changed as of that date. The Form 5558 *Application for Extension of Time to File Certain Employee Plan Returns* was filed for the 2009 Form 5500 filing under the new EIN (20-2777218) and Plan Number (011).

CINERGY CORP. NON-UNION EMPLOYEES' PENSION PLAN

Independent Auditors' Report and Financial Statements

December 31, 2009 and 2008

CINERGY CORP. NON-UNION EMPLOYEES' PENSION PLAN

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CINERGY CORP. NON-UNION EMPLOYEES' PENSION PLAN

Statements of Net Assets Available for Benefits

December 31, 2009 and 2008

(in millions)

	2009	2008
Assets:		
Investments at fair value:		
Plan interest in Duke Energy Corporation Master Retirement Trust	$ 1,075.4	$ 617.9
Net assets held in 401(h) account	13.7	11.0
Total investments	1,089.1	628.9
Receivables:		
Employer contribution	-	200.5
Due from Cinergy Corp. Union Employees' Retirement Income Plan	10.9	2.3
Due from Cinergy Corp. Union Employees' Pension Plan	5.2	2.1
Accrued interest and dividend income	5.5	3.5
Receivables for securities sold	6.1	28.1
Total receivables	27.7	236.5
Cash	0.5	-
Total assets	1,117.3	865.4
Liabilities:		
Payables for securities purchased	2.7	31.5
Amounts related to obligation of 401(h) account	13.7	11.0
Total liabilities	16.4	42.5
Net Assets Available for Benefits	$ 1,100.9	$ 822.9

See Notes to Financial Statements

CINERGY CORP. NON-UNION EMPLOYEES' PENSION PLAN

Statements of Changes in Net Asset Available for Benefits

For the Years Ended December 31, 2009 and 2008

(in millions)

	2009	2008
Additions:		
Plan interest in Duke Energy Corporation Master Retirement Trust net income	$ 209.0	$ -
Employer contribution	131.9	200.5
Total additions	340.9	200.5
Deductions:		
Plan interest in Duke Energy Corporation Master Retirement Trust net loss	-	239.0
Benefits paid directly to participants	76.3	100.9
Administrative expenses	4.2	3.3
Total deductions	80.5	343.2
Net Increase (Decrease) Prior to Transfer	260.4	(142.7)
Net Transfer From (To) Other Plans		
Trigen-Cinergy Solutions of Rochester LLC Pension Plan	5.9	-
Cinergy Corp. Union Employees' Pension Plan	3.1	(0.7)
Cinergy Corp. Union Employees' Retirement Income Plan	8.6	(0.3)
Total transfers	17.6	(1.0)
Net Increase (Decrease) After Transfer	278.0	(143.7)
Net Assets Available for Benefits – Beginning of Year	822.9	966.6
Net Assets Available for Benefits – End of Year	$ 1,100.9	$ 822.9

See Notes to Financial Statements

CINERGY CORP. NON-UNION EMPLOYEES' PENSION PLAN

Notes to Financial Statements

December 31, 2009 and 2008

1. DESCRIPTION OF THE PLAN

The following description of the Cinergy Corp. Non-Union Employees' Pension Plan (the "Plan") provides only general information. Participants should refer to the Plan document for a more complete description of the Plan's provisions.

General— The Plan is a noncontributory defined benefit plan covering certain non-union employees of Cinergy Corp. and participating affiliates (the "Company" or "Plan Sponsor"). It is subject to the provisions of the Employee Retirement Income Security Act of 1974, as amended ("ERISA").

Contributions—The Company's funding policy is to make annual contributions to the Plan to meet minimum funding requirements, as determined by the Plan's independent actuary. No voluntary employee contributions are permitted. The Plan is in compliance with applicable ERISA minimum funding requirements for the years ended December 31, 2009 and 2008.

Vesting—Participants vest in their accrued benefits upon achieving three years of service or upon death or attainment of age 65 while employed.

Pension Benefits—Employees with three or more years of service may retire and receive annual pension benefits beginning at normal retirement age (65). For those employees in the traditional formula, benefits are calculated based on the participant's years of participation and final three-year average annual pension-eligible earnings. The Plan permits early retirement at age 50 with three years of service. Employees may elect to receive their pension benefits in annuity forms. If employees terminate before rendering three years of service, they forfeit the right to receive their accumulated plan benefits.

Employees in the cash balance formula have a notional account which grows with annual pay and interest credits. Participants in the cash balance formula are eligible to take a distribution of their vested cash balance account in the Plan whenever they leave the Company, at any age, for any reason. Employees may elect to receive their cash balance benefits in annuity or lump sum forms. Employees hired on or after January 1, 2003 (and before July 1, 2008), are required to participate in the cash balance formula of the Plan. Participation in the Plan was generally closed to employees hired on or after July 1, 2008.

401 (h) Account — On September 12, 2007, the Plan was amended to clarify provisions permitting, under Section 401(h) of the Internal Revenue Code ("IRC") the funding of postretirement medical benefits in a separate trust account. Company contributions are discretionary and are determined annually. No contributions were made by the Company to the Cinergy Non-Union Employees' 401(h) account in 2009 or 2008. Participants do not contribute to the 401(h) account. Payment of benefits from the 401(h) account, which will begin on or after January 1, 2015, is limited to medical expenses reimbursable under retiree coverage provided by the Duke Energy Medical Plan. Other Plan assets may not be used to fund postretirement medical benefits and the 401(h) account may not

be used to fund Plan retirement benefits. The obligations of the Duke Energy Medical Plan are not obligations of the Plan. Duke Energy Medical Plan obligations are reflected in the financial statements of that plan.

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Basis of Accounting—The accompanying financial statements have been prepared in accordance with accounting principles generally accepted in the United States of America ("US GAAP").

Use of Estimates—The preparation of the financial statements in conformity with US GAAP requires management to make estimates and assumptions that affect the reported amounts of assets, liabilities, and changes therein, disclosure of contingent assets and liabilities and the actuarial present value of accumulated plan benefits at the date of the financial statements. Actual results could differ from these estimates.

Risks and Uncertainties—The Plan invests in various investment securities that are exposed to various risks, such as interest rates, credit, and overall market volatility risks. Market values of investments may decline for a number of reasons, including changes in prevailing market and interest rates, increases in defaults and credit rating downgrades. Due to the level of risk associated with certain investment securities, it is at least reasonably possible that changes in the values of investment securities will occur in the near term and that some changes could materially affect the investment amounts reported in the Statements of Net Assets Available for Benefits.

Plan contributions are made and the actuarial present value of accumulated plan benefits are reported based on certain assumptions pertaining to interest rates, inflation rates and employee demographics, all of which are subject to change. Due to uncertainties inherent in the estimations and assumptions process, it is at least reasonably possible that changes in these estimates in the near term would be material to the financial statements.

Investment Valuation and Income Recognition— Investments of the Plan are stated at fair value. Fair Value is the Price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participant at the measurement date.The fair value of the Plan's interest in the Duke Energy Corporation Master Retirement Trust ("Master Trust") (see Note 3) is based on the Plan's interest in the underlying assets in the Master Trust. See Note 4 for discussion of fair value measurements.

In accordance with Department of Labor regulations, realized and unrealized gains and losses are based on the value of these investments as of the later of the beginning of the plan year or at the time of purchase, if purchased during the year, and are reflected currently in the accompanying statements of changes in net assets available for benefits. Purchases and sales of securities are

recorded on a settlement-date basis. Interest income is recorded on the accrual basis. Dividends are recorded on the ex-dividend date.

Investment income from the Master Trust, which includes interest, dividends and realized and unrealized gains and losses, net of administrative expenses, is allocated to each Plan by the trustee on a pro rata basis. Brokerage fees are added to the acquisition cost of assets purchased and subtracted from the proceeds of the assets sold.

Derivative Financial Instruments—The Master Trust holds various instruments that meet the definition of a derivative under Financial Accounting Standards Board ("FASB") Accounting Standards Codification ("ASC") Topic 815, *Derivatives and Hedging*, formerly FASB No. 133, ("FASB ASC 815"), including foreign currency contracts and interest rate swaps. The Plan's primary objective in holding these derivatives is investment appreciation and, accordingly, does not designate such derivatives as hedges of risks. Foreign currency exchange rate movements create a degree of risk by affecting the U.S. dollar value of instruments denominated in foreign currencies. Such derivatives are recorded in the accompanying statements of net assets available for benefits at their fair value, and changes in fair value are recorded in Plan interest in Duke Energy Corporation Master Trust investment income in the accompanying Statements of Changes in Net Assets Available for Benefits.

Benefit Payments—Benefit payments to participants or their beneficiaries are recorded when paid.

Administrative Expenses— The Plan pays all investment fees related to the Plan and most other administrative costs, as provided in the Plan document.

Transfers Between Plans—Transfers of assets and accumulated plan benefits between the Plan, the Cinergy Corp. Union Employees' Retirement Income Plan and the Cinergy Corp. Union Employees' Pension Plan are actuarially determined and occur as a result of changes in employee status between the union and non-union classifications.

Recent Accounting Pronouncements—In May 2009, an accounting standard was issued by the FASB, establishing the accounting of and disclosure standards for events that occur after the balance sheet date but before financial statements are issued or available to be issued. An amendment was issued in February 2010 which clarified which entities are required to evaluate subsequent events and the scope of the disclosure requirements related to subsequent events.

In April 2009, the FASB issued guidance for determining fair value when the volume and level of activity for the asset or liability have significantly decreased and guidance on identifying circumstances that indicate a transaction is not orderly. The provisions of this guidance are effective for periods after June 15, 2009. The adoption of this guidance did not materially impact the Plan's financial statements.

The FASB Accounting Standards Update ("ASU") "*Fair Value Measurements and Disclosures: Investments in Certain Entities That Calculate Net Asset Value ("NAV") per Share (or Its Equivalent)*" was issued in September 2009. This ASU provides guidance on using the NAV per share provided by investees to estimate the fair value of an alternative investment. This ASU is effective for periods ending after December 15, 2009. The adoption of the provisions of this update did not impact the Plan's financial statements.

In January 2010, the FASB issued a pronouncement to improve disclosures about fair value measurements. Certain provisions of this pronouncement are effective for reporting periods beginning after December 15, 2009, while other provisions are effective for periods beginning after December 15, 2010.

Plan Management's Review of Subsequent Events —In preparing the accompanying financial statements, Plan management has reviewed all known events that have occurred after December 31, 2009, and through September 23, 2010, the date the financial statements were available to be issued, for inclusion in the financial statements and footnotes.

3. INVESTMENTS (UNAUDITED)

Duke Energy also sponsors the following plans, whose investments are also held in the Master Trust:

- Cinergy Corp. Union Employees' Retirement Income Plan, which covers hourly, weekly and bi-weekly paid employees of the Company represented by the Utility Workers Union of America Local 600, the International Brotherhood of Electrical Workers, Local 1347 and Local 352, the United Steelworkers of America, Local 12049 and Local 5541-06, Employees' Representation Association, and UNITE HERE Local 1995,

- Cinergy Corp. Union Employees' Pension Plan which covers hourly, weekly and bi-weekly paid employees of the Company represented by the International Brotherhood of Electrical Workers, Local 1393, and

- Duke Energy Cash Balance Plan, which covers legacy Duke Energy employees and non-union Company employees hired on or after July 1, 2008.

The Master Trust has the following Plans and accounts with their respective percentages as of December 31, 2009 and 2008:

	2009	2008
Cinergy Corp. Non-Union Employees' Pension Plan	25.02	21.00
Duke Energy Retirement Cash Balance Plan	52.96	59.24
Duke Energy 401(h) account	1.91	2.28
Cinergy Corp. Union Employees' Pension Plan	7.88	7.24
Cinergy Corp. Union Employees' Retirement Income Plan	11.58	9.47
Cinergy Corp. Union Employees'401(h) account	0.16	0.19
Cinergy Corp. Union Employees' Retirement Income 401(h) account	0.17	0.20
Cinergy Corp. Non-Union Employees' 401(h) account	0.32	0.38
	100.00%	100.00%

Investment income and administrative expenses relating to the Master Trust are allocated based on average monthly balances invested by each, other than items specific to one or the other.

The Plan interest in the Master Trust of $1,075.4 million and $617.9 million represent 5% or more of the Plan's net assets available for benefits as of December 31, 2009 and 2008, respectively.

The following table presents the fair values of investments in the Master Trust as of December 31, 2009 and 2008 (in millions):

	2009	2008
Investments, at fair value:		
Equity securities	$ 2,695.9	$ 1,755.3
Corporate bonds	1,009.0	647.8
U.S. Government securities	57.1	109.2
Government and commercial mortgage backed securities	13.8	122.7
Short-term investment funds	341.1	106.3
Real estate investment trust	63.1	62.0
Foreign currency contracts with gains	436.8	1.9
Asset backed securities	18.8	51.5
Guaranteed investment contracts	38.0	43.1
Government bonds – foreign	32.5	17.2
Non-government backed C.M.O.S.	2.2	4.0
Other investments	16.4	30.7
Total investments	4,724.7	2,951.7
Interest rate swaps with losses	(0.2)	(7.6)
Foreign currency contracts with losses	(426.9)	(1.8)
Total net assets of the Master Trust	$ 4,297.6	$ 2,942.3

Net investment earnings of the Master Trust for the years ended December 31, 2009 and 2008 is as follows (in millions):

	2009	2008
Net appreciation (depreciation) in fair value of investments:		
Equity securities	$ 740.5	$ (1,126.6)
Corporate bonds	113.2	(65.3)
U.S. Government securities	(10.0)	(18.6)
Interest rate swaps with gains	5.8	30.4
Foreign currency contracts with gains	(42.5)	(0.3)
Cash & cash equivalent derivative futures	2.7	(102.7)
Fixed income derivatives - futures	168.1	65.2
Real estate	(33.3)	(15.4)
Non-government backed C.M.O.S.	0.4	(10.2)
Asset backed securities	0.6	(10.0)
Derivative offsets	(248.6)	(3.6)
Pending foreign exchange sales	10.0	-
Other investments	4.3	(6.0)
Interest	81.2	45.2
Dividends	27.7	27.8
Total investment income of Master Trust	$ 820.1	$ (1,190.1)

4. FAIR VALUE MEASUREMENTS

FASB ASC Topic 820, *Fair Value Measurements and Disclosures*, formerly FASB No. 157, ("FASB ASC 820") defines fair value, establishes a framework for measuring fair value in GAAP and expands disclosure requirements about fair value measurements. Under FASB ASC 820, fair value is considered to be the exchange price in an orderly transaction between market participants to sell an asset or transfer a liability at the measurement date. The fair value definition under FASB ASC 820 focuses on an exit price, which is the price that would be received by the Plan to sell an asset or paid to transfer a liability versus an entry price, which would be the price paid to acquire an asset or received to assume a liability. Although FASB ASC 820 does not require additional fair value measurements, it applies to other accounting pronouncements that require or permit fair value measurements.

The Plan determines fair value of financial assets and liabilities based on the following fair value hierarchy, as prescribed by FASB ASC 820, which prioritizes the inputs to valuation techniques used to measure fair value into three levels:

Level 1 inputs: unadjusted quoted prices in active markets for identical assets or liabilities that the Plan has the ability to access. An active market for the asset or liability is one in which

transactions for the asset or liability occurs with sufficient frequency and volume to provide ongoing pricing information.

Level 2 inputs: inputs other than quoted market prices included in Level 1 that are observable, either directly or indirectly, for the asset or liability. Level 2 inputs include, but are not limited to, quoted prices for similar assets or liabilities in an active market, quoted prices for identical or similar assets or liabilities in markets that are not active and inputs other than quoted market prices that are observable for the asset or liability, such as interest rate curves and yield curves observable at commonly quoted intervals, volatilities, credit risk and default rates.

Level 3 inputs: unobservable inputs for the asset or liability.

The following is a description of the valuation methodologies used for investments measured at fair value for the Master Trust:

Equity Securities, corporate bonds and U.S. government securities: Valued at the closing price reported on the active market on which the individual securities are traded.

Government and commercial mortgage backed securities: Valued based on external price data obtained from third party vendors. When position specific external price data are not observable, the valuation is based on comparable securities. When external pricing data is observable, the securities are categorized in level 2. When the external pricing data is unobservable, the securities are categorized as level 3.

Short term investment funds: Valued at the net asset value ("NAV") of units held by the Plan at year end.

Real estate investment trust: Valued based upon property appraisal reports prepared by independent real estate appraisers. The Chief Real Estate Appraiser of the asset manager is responsible for assuring that the valuation process provides independent and reasonable property market value estimates. An external appraisal management firm not affiliated with the asset manager has been appointed to assist the Chief Real Estate Appraiser in maintaining and monitoring the independence and the accuracy of the appraisal process.

Interest rate swaps and foreign currency contracts: These instruments are traded in OTC markets. Valuation inputs include interest rate curves, LIBOR yield curve, foreig exchange spot rates, equity prices/equity index prices, volatility and index dividend yields.

The following table provides by level, within the fair value hierarchy, the Master Trust investments, at fair value as of December 31, 2009 and 2008 (in millions):

	December 31, 2009			
	Total Fair Value	Level 1	Level 2	Level 3
Domestic:				
Equity securities	$ 1,601.3	$ 1,143.7	$ 348.8	$ 108.8
Corporate bonds	841.9	-	824.2	17.7
Foreign currency contracts with gains	436.8	436.8	-	-
Short-term investment funds	341.1	39.2	301.9	-
Other investments	75.4	16.2	18.0	41.2
Real estate investment trust	63.1	-	-	63.1
Government securities	55.5	-	55.5	-
Government and commercial mortgage backed securities	13.8	-	13.8	-
Interest rate swaps with losses	(1.3)	(3.5)	2.2	-
Foreign currency contracts with losses	(426.9)	(426.9)	-	-
Total domestic	3,000.7	1,205.5	1,564.4	230.8
Foreign:				
Equity securities	1,094.6	589.4	482.1	23.1
Corporate bonds	167.1	-	165.9	1.2
Government securities	34.1	-	33.5	0.6
Interest rate swaps with losses	1.1	-	1.1	-
Total foreign	1,296.9	589.4	682.6	24.9
Total investments at fair value	$ 4,297.6	$ 1,794.9	$ 2,247.0	$ 255.7

	December 31, 2008			
	Total Fair Value	Level 1	Level 2	Level 3
Domestic:				
Equity securities	$ 1,133.2	$ 797.0	$ -	$ 336.2
Corporate bonds	566.9	-	501.5	65.4
Other investments	129.3	(0.1)	51.2	78.2
Government and commercial mortgage backed securities	122.7	-	122.3	0.4
Government securities	108.1	-	108.1	-
Short-term investment funds	106.3	2.6	3.2	100.5
Real estate investment trust	62.0	-	-	62.0
Foreign currency contracts with gains	1.9	1.9	-	-
Foreign currency contracts with losses	(1.8)	(1.8)	-	-
Interest rate swaps with losses	(8.2)	(0.3)	(9.5)	1.6
Total domestic	2,220.4	799.3	776.8	644.3
Foreign:				
Equity securities	622.1	268.1	5.2	348.8
Corporate bonds	80.9	-	74.9	6.0
Government securities	18.3	-	14.6	3.7
Interest rate swaps with losses	0.6	-	0.6	-
Total foreign	721.9	268.1	95.3	358.5
Total investments at fair value	$ 2,942.3	$ 1,067.4	$ 872.1	$ 1,002.8

The following table provides a reconciliation of beginning and ending balances of investments measured at fair value on a recurring basis where the determination of fair value includes significant unobservable inputs (Level 3) for the years ended December 31, 2009 and 2008 (in millions):

Rollforward of Level 3 measurements

	2009	2008
Balance as of December 31, 2008	$ 1,002.8	$ 2,151.7
Total gains (losses), (realized and unrealized), and other	(23.3)	(59.2)
Purchases, sales, issuances, and settlements (net)	(39.3)	(1,089.7)
Transfers out of Level 3	(684.5)	-
Balance as of December 31, 2009	$ 255.7	$ 1,002.8

The Plan's share of gains and losses (realized and unrealized) included in changes in net assets for the period above are reported in net appreciation in fair value of investments in the Statements of Changes in Net Assets Available for Benefits.

5. ACTUARIAL PRESENT VALUE OF ACCUMULATED PLAN BENEFITS

Accumulated plan benefits are those future periodic payments, including lump-sum distributions that are attributable under the Plan's provisions to services rendered by employees through the valuation date. Accumulated plan benefits include benefits expected to be paid to (a) retired or terminated employees or their beneficiaries, (b) beneficiaries of employees who have died, and (c) present employees or their beneficiaries. Traditional benefits under the Plan are based on the participant's years of participation and final three-year average annual pension-eligible earnings. The accumulated plan benefits for active employees are based on their average earnings during the three years ending on the date as of which the benefit information is presented (valuation date). Cash balance benefits are based upon the participant's notional account balance as of the valuation date. Benefits payable under all circumstances (i.e., retirement, death, disability, and termination of employment) are included to the extent they are deemed attributable to employee service rendered through the valuation date.

The actuarial present value of accumulated plan benefits is determined by the Plan's actuary, Hewitt Associates, and is that amount that results from applying actuarial assumptions to adjust the accumulated plan benefits to reflect the time value of money (through discounts for interest) and the probability of payment (by means of decrements such as for death, disability, withdrawal, or retirement) between the valuation date and the expected date of payment. The effect of plan amendments on accumulated plan benefits is recognized during the year in which such amendments become effective.

The significant actuarial assumptions used in the valuations as of January 1, 2010 were:

Interest:	8.00%
Mortality:	2010 Static Mortality Table for Annuitants and Non-Annuitants
Investment Return:	4.50% per annum

The significant actuarial assumptions used in the valuations as of January 1, 2009 were:

Interest:	8.00%
Mortality:	2009 Static Mortality Table for Annuitants and Non-Annuitants
Investment Return:	4.00% per annum

The foregoing actuarial assumptions are based on the presumption that the Plan will continue. If the Plan were to terminate, different actuarial assumptions and other factors might be applicable in determining the actuarial present value of accumulated plan benefits.

The actuarial present value of accumulated plan benefit information as of January 1, 2010 and 2009 is as follows:

	2010	2009
Actuarial present value of accumulated plan benefits:		
Vested benefits:		
Participants and/or beneficiaries currently receiving benefits	$ 515,885,760	$ 524,969,609
Other participants	414,960,634	331,370,947
Total vested benefits	930,846,394	856,340,556
Nonvested benefits	30,083,392	26,403,467
Transfer from Trigen-Cinergy Solutions of Rochester LLC Pension Plan	6,079,383	-
Total actuarial present value of accumulated plan benefits	$ 967,009,169	$ 882,744,023

The changes in the actuarial present value of the Plan's accumulated plan benefits are as follows:

	2010	2009
Actuarial present value of accumulated plan benefits as of January 1, 2009 and 2008	$ 882,744,023	$ 859,009,080
Increase (decrease) during the year attributable to:		
Benefits paid	(76,315,188)	(100,868,360)
Passage of time	67,625,640	64,763,612
Changes in actuarial assumptions	36,047,387	12,369,610
Benefits accumulated and actuarial experience	15,606,252	47,470,081
Plan changes	35,221,672	-
Net increase prior to transfer	78,185,763	23,734,943
Transfer from Trigen-Cinergy Solutions of Rochester LLC Pension Plan	6,079,383	-
Net increase after transfer	84,265,146	23,734,943
Actuarial present value of accumulated plan benefits as of January 1, 2010 and 2009	$ 967,009,169	$ 882,744,023

6. FUNDING POLICY

Contributions to provide benefits under the Plan are made solely by the Company. The Company's funding policy is to make cash contributions to the Plan in amounts as determined by the Plan's independent actuary. The Company met the minimum funding requirements of ERISA for the years ended December 31, 2009 and 2008. The Company made voluntary contributions of approximately $131.9 million and $200.5 million in 2009 and 2008, respectively.

7. PLAN TERMINATION

Although it has not expressed any intent to do so, Duke Energy has the right under the Plan to discontinue contributions at any time and to terminate the Plan subject to the provisions set forth in ERISA. In the event of any termination of the Plan or upon complete or partial discontinuance of contributions, each participant shall become fully vested, and the net assets of the Plan will be allocated for payment of Plan benefits to the participants in an order of priority determined in accordance with ERISA, applicable regulations there under and the Plan document, generally to provide the following benefits in the order indicated:

a. Benefits attributable to employee contributions, taking into account those paid out before termination.

b. Annuity benefits that former employees or their beneficiaries have been receiving for at least three years, or that employees eligible to retire for that three-year period would have been receiving if they had retired with benefits in the normal form of annuity under the plan. The priority amount is limited to the lowest benefit that was payable (or would have been payable) during those three years. The amount is further limited to the lowest benefit that would be payable under plan provisions in effect at any time during the five years preceding plan termination.

c. Other vested benefits insured by the Pension Benefit Guaranty Corporation ("PBGC") (a U.S. government agency) up to the applicable limitations (discussed subsequently).

d. All other vested benefits (that is, vested benefits not insured by the PBGC).

e. All nonvested benefits.

Certain benefits under the Plan are insured by the PBGC, if the Plan terminates. Generally, the PBGC guarantees most vested, normal-age retirement benefits, early retirement benefits, and certain disability and survivor's pensions. However, the PBGC does not guarantee all types of benefits under the Plan, and the amount of benefit protection is subject to certain limitations. Vested benefits under the Plan are guaranteed at the level in effect on the date of the Plan's termination, subject to a statutory ceiling on the amount of an individual's monthly benefit.

Whether all participants receive the benefits should the Plan be terminated at some future time will depend on the sufficiency, at that time, of the Plan's net assets to provide these benefits, the priority of those benefits to be paid, and the level and type of benefits guaranteed by the PBGC at that time. Some benefits may be fully or partially provided by the then existing assets and the PBGC guaranty, while other benefits may not be provided at all.

8. FEDERAL INCOME TAX STATUS

The Internal Revenue Service has determined and informed the Company by letter dated January 6, 2003, that the Plan and related trust were designed in accordance with applicable sections of Internal Revenue Code. The Plan has been amended since receiving the determination letter. The Company and the Plan administrator believe that the Plan is currently designed and operated in compliance with the applicable requirements of the Internal Revenue Code and the Plan and related trust continue to be tax exempt. Therefore, no provision for income taxes has been included in the Plan's financial statements.

9. EXEMPT PARTY-IN-INTEREST TRANSACTIONS

Northern Trust manages the Master Trust. Northern Trust is also trustee of the Plan. Therefore, these transactions qualify as exempt party-in-interest transactions. Fees paid by the Plan were approximately $4.2 million and $3.3 million for the years ended December 31, 2009 and 2008, respectively.

10. PLAN CHANGES

An amendment to the Plan adopted on December 31, 2009:

- Merges the Trigen-Cinergy Solutions of Rochester LLC Pension Plan into the Plan. With the merger, assets of approximately $5,900,000 became assets of the Plan,
- Clarifies certain provisions of the Plan, including the definition of highest average earnings, and
- Revises the Plan to comply with changes in the law made by the Pension Protection Act of 2006 (that had not been previously reflected in the Plan), Heroes Earnings Assistance and Relief Act of 2008, and Worker, Retiree, and Employer Recovery Act of 2008, including funding-based limitations on accruals, lump-sum distributions, and amendments and benefits for survivors of participants who die while on military leave.

11. RECONCILIATION OF FINANCIAL STATEMENTS TO FORM 5500

The following is a reconciliation of net assets available for benefits per the financial statements to the Form 5500 as of December 31, 2009 and 2008 (in millions):

	2009	2008
Net assets available for benefits per the Form 5500	$ 1,114.6	$ 833.9
Net assets held in 401(h) account included as assets in Form 5500	(13.7)	(11.0)
Net Assets Available for Benefits Per the Financial Statements	$ 1,100.9	$ 822.9

The following is a reconciliation of the changes in net assets per the financial statements to the Form 5500 for the years ended December 31, 2009 and 2008 (in millions):

	2009	2008
Plan interest in Duke Energy Corporation Master Retirement Trust investment income (loss) per Form 5500	$ 211.7	$ (243.5)
Investment income (loss) held in 401(h) account included as assets in Form 5500	2.7	(5.5)
Plan Interest in Duke Energy Corporation Master Retirement Trust Investment Income (Loss) per the Financial Statements	$ 209.0	$ (239.0)

12. SUBSEQUENT EVENTS

Duke Energy announced the traditional formula under the Plan will be frozen as of December 31, 2010.

Effective January 1, 2010, the sponsorship of the Plan changed from Cinergy Corp. to Duke Energy Corporation.