

PROGRESS ENERGY INC  
Form 425  
January 18, 2012

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

Washington, D.C. 20549

---

**FORM 8-K**

**CURRENT REPORT**

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

---

Date of Report (Date of earliest event reported): **January 13, 2012**

**DUKE ENERGY CORPORATION**

(Exact Name of Registrant as Specified in its Charter)

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

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

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

**550 South Tryon Street, Charlotte, North Carolina 28202-4200**

(Address of Principal Executive Offices, including Zip code)

Edgar Filing: PROGRESS ENERGY INC - Form 425

(704) 594-6200

(Registrant's telephone number, including area code)

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

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

**ITEM 8.01. OTHER EVENTS**

On January 13, 2012, Duke Energy Corporation ( Duke Energy ) and Progress Energy, Inc. ( Progress Energy ) filed a request for rehearing with the Federal Energy Regulatory Commission (the FERC ) of the order issued by the FERC on December 14, 2011. In that order, the FERC rejected the mitigation plan proposed by Duke Energy and Progress Energy in connection with their proposed merger. The request for rehearing does not preclude the companies' right to propose a new mitigation plan in the future.

**SIGNATURE**

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

**DUKE ENERGY CORPORATION**

Date: January 18, 2012

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