

COX PHILLIP R  
Form 4  
April 05, 2007

**FORM 4**

**UNITED STATES SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549**

OMB APPROVAL

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Check this box if no longer subject to Section 16. Form 4 or Form 5 obligations may continue. See Instruction 1(b).

**STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF SECURITIES**

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, Section 17(a) of the Public Utility Holding Company Act of 1935 or Section 30(h) of the Investment Company Act of 1940

(Print or Type Responses)

1. Name and Address of Reporting Person \*

COX PHILLIP R

(Last) (First) (Middle)

526 S. CHURCH STREET

(Street)

CHARLOTTE, NC 28202

(City) (State) (Zip)

2. Issuer Name and Ticker or Trading Symbol

Duke Energy CORP [DUK]

3. Date of Earliest Transaction

(Month/Day/Year)

04/03/2007

4. If Amendment, Date Original Filed

(Month/Day/Year)

5. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

Director  10% Owner  
 Officer (give title below)  Other (specify below)

6. Individual or Joint/Group Filing (Check Applicable Line)

Form filed by One Reporting Person  
 Form filed by More than One Reporting Person

**Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned**

| 1. Title of Security (Instr. 3) | 2. Transaction Date (Month/Day/Year) | 2A. Deemed Execution Date, if any (Month/Day/Year) | 3. Transaction Code (Instr. 8) | 4. Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5) | 5. Amount of Securities Beneficially Owned Following Reported Transaction(s) (Instr. 3 and 4) | 6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4) | 7. Nature of Ownership Indirect Beneficial Ownership (Instr. 4) |     |       |
|---------------------------------|--------------------------------------|--|--------------------------------|---|---|--|---|-----|-------|
|                                 |                                      |  |                                | (A) or (D)  | Code  | V  | Amount  | (D) | Price |

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

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SEC 1474  
(9-02)

**Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)**

| 1. Title of Derivative Security (Instr. 3) | 2. Conversion or Exercise Price of | 3. Transaction Date (Month/Day/Year) | 3A. Deemed Execution Date, if any (Month/Day/Year) | 4. Transaction Code (Instr. 8) | 5. Number of Derivative Securities Acquired (A) or | 6. Date Exercisable and Expiration Date (Month/Day/Year) | 7. Title and Amount of Underlying Securities (Instr. 3 and 4) | 8. Underlying Securities (Instr. 3 and 4) |
|--|------------------------------------|--------------------------------------|--|--------------------------------|--|--|---|---|
|--|------------------------------------|--------------------------------------|--|--------------------------------|--|--|---|---|

## Edgar Filing: COX PHILLIP R - Form 4

| Derivative Security |     | Disposed of (D)<br>(Instr. 3, 4, and 5) |            | Code | V | (A)   | (D)   | Date Exercisable | Expiration Date | Title        | Amount or Number of Shares |
|---------------------|-----|---|------------|------|---|-------|-------|------------------|-----------------|--------------|----------------------------|
|                     |     |   |            |      |   |       |       |                  |                 |              |                            |
| Phantom Stock       | (1) | 04/03/2007                              | 04/03/2007 | M    |   |       | 2,600 | (2)              | (3)             | Common Stock | 2,600                      |
| Phantom Stock       | (4) | 04/03/2007                              | 04/03/2007 | M    |   | 2,600 |       | (5)              | (5)             | Common Stock | 2,600                      |

## Reporting Owners

| Reporting Owner Name / Address                               | Relationships |           |         |       |
|--|---------------|-----------|---------|-------|
|  | Director      | 10% Owner | Officer | Other |
| COX PHILLIP R<br>526 S. CHURCH STREET<br>CHARLOTTE, NC 28202 |               |           | X       |       |

## Signatures

By: David S. Maltz,  
attorney-in-fact

04/05/2007

\_\_Signature of Reporting Person

Date

## Explanation of Responses:

\* If the form is filed by more than one reporting person, *see* Instruction 4(b)(v).

\*\* Intentional misstatements or omissions of facts constitute Federal Criminal Violations. *See* 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).

(1) The derivative security converts into common stock on a one-for-one basis.

(2) The reporting person was granted 2,600 shares on May 11, 2006. All of the shares will vest on April 3, 2007.

(3) Generally payable upon reporting person's termination of service. Securities may expire prior to such termination of service in the event of certain conditions set forth in the Phantom Stock Award Agreement.

(4) The derivative security converts into common stock on a one-for-one basis and will be settled in stock.

(5) Generally payable upon reporting person's termination of service.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure.

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