**Duke Energy CORP** Form 4 June 02, 2006

### FORM 4

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

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)

(Last)

1. Name and Address of Reporting Person \* COX PHILLIP R

(First)

(Middle)

526 S. CHURCH STREET

(Street)

Filed(Month/Day/Year)

2. Issuer Name and Ticker or Trading Symbol

Duke Energy CORP [DUK]

3. Date of Earliest Transaction (Month/Day/Year)

05/31/2006

4. If Amendment, Date Original

5. Relationship of Reporting Person(s) to

Issuer

(Check all applicable)

OMB

Number:

Expires:

response...

Estimated average

burden hours per

**OMB APPROVAL** 

3235-0287

January 31,

2005

0.5

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

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

\_X\_ Form filed by One Reporting Person Form filed by More than One Reporting

Person

### CHARLOTTE, NC 28202

(City)	(State)	(Zip) Tab	le I - Non-l	Derivative	Secur	ities Acqui	red, Disposed of,	or Beneficiall	y 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)				5. Amount of Securities Beneficially Owned Following Reported	6. Ownership Form: Direct (D) or Indirect (I)	7. Nature of Indirect Beneficial Ownership (Instr. 4)
			Code V	Amount	(A) or (D)	Price	Transaction(s) (Instr. 3 and 4)	(Instr. 4)	
Common Stock	05/31/2006	05/31/2006	M	15,600	` ′	\$ 28.084	35,102	D	
Common Stock	05/31/2006	05/31/2006	S	5,700	D	\$ 28.07	29,402	D	
Common Stock	05/31/2006	05/31/2006	S	1,000	D	\$ 28.08	28,402	D	
Common Stock	05/31/2006	05/31/2006	S	6,100	D	\$ 28.09	22,302	D	
Common Stock	05/31/2006	05/31/2006	S	2,500	D	\$ 28.1	19,802	D	
	05/31/2006	05/31/2006	S	300	D	\$ 28.11	19,502	D	

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Common Stock

Common Stock  $06/01/2006\underline{(1)}$  06/01/2006 S 14,510 D  $\frac{\$}{28.028}$  4,992 D

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 Derivative Security	3. Transaction Date (Month/Day/Year)	3A. Deemed Execution Date, if any (Month/Day/Year)	4. Transactic Code (Instr. 8)	5. Number of orDerivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5)	6. Date Exercisable and Expiration Date (Month/Day/Year)		7. Title and Amount of Underlying Securities (Instr. 3 and 4)	
				Code V	(A) (D)	Date Exercisable	Expiration Date	Title	Amount or Number of Shares
Stock Option (Right to buy)	\$ 15.264	05/31/2006	05/31/2006	M	15,600	(2)	12/14/2009	Common Stock	15,600

# **Reporting Owners**

Reporting Owner Name / Address	Keiationsnips						
	Director	10% Owner	Officer	Other			
COX PHILLIP R							
526 S. CHURCH STREET	X						
CHARLOTTE, NC 28202							

## **Signatures**

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

06/02/2006

\*\*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)

Reporting Owners 2

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The reporting person gave instructions on May 31, 2006 to the InvestorDirect Choice Plan administrator to sell the shares. The administrator, in accordance with the plan document, executed the sale order with all other participant orders on the next regularly scheduled transaction date.

(2) The reporting person was granted 10,000 stock options on December 14, 1999. The options became exercisable in five equal annual installments.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure. Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.