

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KENTUCKY UTILITIES)	
COMPANY FOR CERTIFICATES OF PUBLIC)	CASE NO.
CONVENIENCE AND NECESSITY AND)	2011-00161
APPROVAL OF ITS 2011 COMPLIANCE PLAN)	
FOR RECOVERY BY ENVIRONMENTAL)	
SURCHARGE)	

O R D E R

On September 1, 2011, Kentucky Utilities Company ("KU") filed a motion seeking a deviation from the Commission's June 28, 2011 Order, which required KU to file an original and 15 copies of all data responses and attachments. KU states that the documents contained in certain of its responses to the Supplemental Information Request ("Supplemental Request") propounded by the Kentucky Industrial Utility Customers, Inc. ("KIUC") are voluminous. Therefore, KU requests that it be allowed to file with the Commission in electronic format only the original and 15 copies of the attachments to its responses to Supplemental Request No. 2-1; and to file in paper format the original and, in electronic format, the 15 copies of the attachments to its responses to Supplemental Request Nos. 2-5 and 2-16.

Specifically, KU asserts that the documents contained in its responses to KIUC's Supplemental Request Nos. 2-5 and 2-16 total 450 pages and 230 pages, respectively. If required to provide the Commission an original and 15 copies of these responses, KU points out that it would have to provide over 10,880 pages. This number will increase significantly when the service copies to the parties of record are considered.

In addition, KU asserts that Supplemental Request No. 2-1 explicitly asks for “the excel spreadsheet in live format used to develop the attached schedule provided in response to KIUC 1-23.” KU proposes to comply with this request by providing the requested information in electronic format on compact disc.

Having reviewed the motion and being otherwise sufficiently advised, the Commission finds that KU has established good cause to deviate from the provision in the June 28, 2011 Order that requires the filing of 15 paper copies with the Commission and service of a paper copy on all parties to this case. The Commission finds that KU should be allowed to file its responses to Supplemental Request No. 2-1 in electronic form given that the underlying discovery request sought responses in electronic form. The Commission further finds that the responses to Supplemental Request Nos. 2-5 and 2-16 are sufficiently voluminous to allow KU to substitute electronic copies on compact discs for the 15 paper copies to be filed with the Commission and the copies to be served on the parties. However, as stated in KU’s motion, KU shall file the original of its responses to Supplemental Request Nos. 2-5 and 2-16 in paper format.

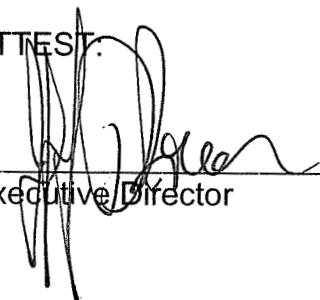
IT IS THEREFORE ORDERED that:

1. KU’s motion to deviate from the filing requirements of the June 28, 2011 Order is granted.
2. KU shall file in paper format, within seven days of the date of this Order, the original of the responses to KIUC’s Supplemental Request Nos. 2-5 and 2-16.

By the Commission

ENTERED ^{PA}
OCT 18 2011
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Executive Director

Case No. 2011-00161

Lonnie Bellar
Vice President, State Regulation & Rates
Kentucky Utilities Company
220 W. Main Street
P. O. Box 32010
Louisville, KY 40232-2010

Honorable Kendrick R Riggs
Attorney at Law
Stoll Keenon Ogden, PLLC
2000 PNC Plaza
500 W Jefferson Street
Louisville, KENTUCKY 40202-2828

Honorable Leslye M Bowman
Director of Litigation
Lexington-Fayette Urban County Government
Department Of Law
200 East Main Street
Lexington, KENTUCKY 40507

Honorable Iris G Skidmore
415 W. Main Street
Suite 2
Frankfort, KENTUCKY 40601

David Brown
Stites & Harbison, PLLC
1800 Providian Center
400 West Market Street
Louisville, KENTUCKY 40202

Allyson K Sturgeon
Senior Corporate Attorney
LG&E and KU Services Company
220 West Main Street
Louisville, KENTUCKY 40202

Robert M Conroy
Director, Rates
Kentucky Utilities Company
220 W. Main Street
P. O. Box 32010
Louisville, KY 40202

Edward George Zuger, III
Zuger Law Office PLLC
P.O. Box 728
Corbin, KENTUCKY 40702

Kristin Henry
Staff Attorney
Sierra Club
85 Second Street
San Francisco, CALIFORNIA 94105

Honorable Dennis G Howard II
Assistant Attorney General
Office of the Attorney General Utility & Rate
1024 Capital Center Drive
Suite 200
Frankfort, KENTUCKY 40601-8204

Honorable Michael L Kurtz
Attorney at Law
Boehm, Kurtz & Lowry
36 East Seventh Street
Suite 1510
Cincinnati, OHIO 45202