

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF LOUISVILLE GAS AND)	
ELECTRIC COMPANY FOR AN ADJUSTMENT)	
OF ITS ELECTRIC AND GAS RATES, A)	CASE NO.
CERTIFICATE OF PUBLIC CONVENIENCE)	2012-00222
AND NECESSITY, APPROVAL OF)	
OWNERSHIP OF GAS SERVICE LINES AND)	
RISERS, AND A GAS LINE SURCHARGE)	

ORDER

On August 14, 2012, Louisville Gas and Electric Company (“LG&E”) filed a motion for a deviation from the requirements of the Commission’s June 22, 2012 Order and Commission Staff’s requests for information that an original and up to two copies be filed in paper format within two business days following electronic filing of documents. LG&E requests that it be excused from filing any documents in paper format where the individual attachments to an electronically filed data response exceed 1,000 pages. As the basis for this request, LG&E asserts that such attachments are unduly voluminous and difficult to reproduce within the time provided to file the data responses. In lieu of filing these responses in paper format, LG&E requests that it be permitted to file such responses in electronic format on a digital video disc (“DVD”). In particular, LG&E seeks a deviation from the paper filing requirement with respect to the following responses to requests for information:

1. Commission Staff’s Second Request for Information (“Commission Staff’s Second Request”), Item No. 62;

2. The Attorney General's Initial Request for Information ("AG's Initial Request"), Item Nos. 164, 195, 244, and 259;

3. Kentucky Industrial Utility Customers, Inc.'s Initial Request for Information ("KIUC's Initial Request"), Item No. 39(c); and

4. Kroger Company's Initial Request for Information ("Kroger's Initial Request"), Item No. 1(f).

With respect to Commission Staff's Second Request, Item No. 62, LG&E states that its response consists of 4,366 pages. This response would total 13,098 pages if LG&E were required to file an original and two copies in paper format with the Commission.

With respect to the AG's Initial Request, Item No. 164, LG&E states that its response consists of 1,684 pages. This response would total 5,052 pages if LG&E were required to file an original and two copies in paper format with the Commission.

With respect to the AG's Initial Request, Item No. 195, LG&E states that certain files in the attachment to that response contain video files that cannot be uploaded to the Commission's website or provided in paper format.

With respect to the AG's Initial Request, Item No. 244, LG&E states that certain documents attached to the response contain confidential information for which LG&E is seeking confidential protection. LG&E informs that the confidential documents will be filed in paper format under seal attached to a petition for confidential treatment. Concerning the non-confidential, public documents, LG&E maintains that these documents total 4,641 pages, which increases to 13,923 pages if LG&E were required to file an original and two copies in paper format with the Commission.

With respect to the AG's Initial Request, Item No. 259, LG&E states that its response consists of 1,784 pages. The response would total 5,352 pages if LG&E were required to file an original and two copies in paper format with the Commission.

With respect to KIUC's Initial Request, Item No. 39(c), LG&E states that certain documents attached to the response contain confidential information for which LG&E is seeking confidential protection. LG&E notes that it will file the non-confidential, public documents in both electronic and paper format. LG&E advises that the confidential documents consist of 7,479 pages, which increases to 22,437 pages if it were required to file an original and two copies in paper format with the Commission.

With respect to Kroger's Initial Request, Item No. 1(f), LG&E states that its response consists of 2,141 pages of documents. The response would total 6,423 pages if LG&E were required to file an original and two copies in paper format with the Commission.

Having reviewed the motion and being otherwise sufficiently advised, the Commission finds that LG&E has established good cause to deviate from the requirements governing the filing of copies in paper format. The Commission finds that LG&E should be allowed to file its response to the AG's Initial Request, Item No. 195, both the original and the two copies, in electronic format given that the response contains video files which can only be stored in an electronic format. The Commission further finds that the responses to the other requests for information enumerated above are sufficiently voluminous to allow LG&E to file the copies of such responses on a DVD. However, LG&E is still required to file with the Commission an original in paper format of each response to these discovery items.

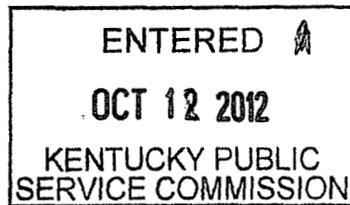
IT IS THEREFORE ORDERED that:

1. LG&E's motion to deviate from the filing requirements of the June 22, 2012 Order is granted in part and denied in part.

2. LG&E shall file in paper format, within seven days of the date of this Order, the original responses to Commission Staff's Second Request, Item No. 62; the AG's Initial Request, Item Nos. 164, 244, and 259; KIUC's Initial Request, Item No. 39(c); and Kroger's Initial Request, Item No. 1(f).

By the Commission

Commissioner Breathitt is abstaining from this proceeding.



ATTEST:


Executive Director

Case No. 2012-00222

Lonnie E Bellar
Vice President, State Regulation & Rates
Louisville Gas and Electric Company
220 W. Main Street
P. O. Box 32010
Louisville, KY 40202

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

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

Jody M Kyler
Boehm, Kurtz & Lowry
36 East Seventh Street
Suite 1510
Cincinnati, OHIO 45202

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

Honorable Matthew R Malone
Attorney at Law
Hurt, Crosbie & May PLLC
The Equus Building
127 West Main Street
Lexington, KENTUCKY 40507

Larry Cook
Assistant Attorney General
Office of the Attorney General Utility & Rate
1024 Capital Center Drive
Suite 200
Frankfort, KENTUCKY 40601-8204

Honorable William H May, III
Attorney at Law
Hurt, Crosbie & May PLLC
The Equus Building
127 West Main Street
Lexington, KENTUCKY 40507

Honorable John M Dosker
General Counsel
Stand Energy Corporation
1077 Celestial Street
Building 3, Suite 110
Cincinnati, OHIO 45202-1629

Eileen Ordovery
Legal Aid Society
416 West Muhammad Ali Boulevard
Suite 300
Louisville, KENTUCKY 40202

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

Honorable Lisa Kilkelly
Attorney at Law
Legal Aid Society
416 West Muhammad Ali Boulevard
Suite 300
Louisville, KENTUCKY 40202