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Case Management System - KY Public Service Commission

Regular Cases Before the Commission as of October 13, 2026

2022-00371

RECEIVED: 10/07/22 FILED: 10/07/22 FINAL: 08/07/23 REOPENED:
SUSPENSION DATE: 04/05/23

CASE CODE
Tariffs
Contracts

UTILITIES:
Kentucky Utilities Company

HEARINGS:
05/31/23 Formal Hearing
04/12/23 Formal Hearing

INDEX OF EVENTS:

09/19/23	Order Entered: 1. KU's December 7, 2022, January 9, 2023, and June 14, 2023 petitions for confidential treatment are granted. 2. The material designated in the December 7, 2022 petition and granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for five years or until further Order of this Commission. 3. The material designated in the January 9, 2023 and June 14, 2023 petitions and granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for an indefinite period or until further Order of this Commission. 4. Use of the designated material granted confidential treatment by this Order in any Commission proceeding shall comply with 807 KAR 5:001, Section 13(9). 5. KU shall inform the Commission if the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment.
08/15/23	POST CASE: Kendrick R. Riggs of Stoll Keenon Ogden PLLC Kentucky Utilities Company and Louisville Gas and Electric Company SKO letter advising of address change
08/07/23	Final Order Entered: 1. KU's proposed Contract with Bitiki is approved effective on and after the date of this Order. 2. KU shall file an annual report with the Commission detailing revenues received from Bitiki and the marginal costs associated with serving Bitiki. 3. During any future rate proceeding, KU shall demonstrate, through detailed cost-of-service analysis, that non-EDR ratepayers are not adversely affected by the Contract. 4. KU shall file an annual report with the Commission providing the information as shown in Appendix A of Administrative 327 Order, which is attached as an Appendix to this Order. 5. Within 20 days of the date of service of this Order, KU shall file with the Commission, using the Commission's electronic Tariff Filing System, the special contract as approved herein. 6. This case is closed and removed from the Commission's docket.
07/20/23	Notice of Filing Hearing Documents
07/07/23	Michael L Kurtz Bitiki-KY, LLC Reply Brief of Bitiki-KY, LLC
07/07/23	Rick E. Lovekamp Kentucky Utilities Company Kentucky Utilities Company files Post-Hearing Responsive Brief
07/07/23	Byron Gary Joint Intervenors Kentuckians For The Commonwealth, Kentucky Solar Energy Society, Mountain Association, and Kentucky Resources Reply Brief of Joint Intervenors Kentuckians For The Commonwealth, Kentucky Solar Energy Society, Mountain Association, and Kentucky Resources Council, Inc.
06/29/23	Michael L Kurtz Bitiki-KY, LLC Post-Hearing Brief of Bitiki-KY, LLC
06/29/23	Michael E. Hornung Kentucky Utilities Company Kentucky Utilities Company Memorandum Brief in support of its post-hearing position within the Bitiki EDR Special Contract review case.
06/29/23	Tom FitzGerald Joint Intervenors Kentuckians For The Commonwealth, Kentucky Solar Energy Society, Mountain Association, and Kentucky Resources Post-Hearing Brief Of Joint Intervenors Kentuckians for the Commonwealth, Kentucky Solar Energy Society, Mountain Association, and Kentucky Resources Council, Inc
06/14/23	Michael E. Hornung Kentucky Utilities Company Kentucky Utilities Companys responses to Joint Intervenors post hearing data request within the Bitiki EDER special contract review.
06/14/23	Michael E. Hornung Kentucky Utilities Company Kentucky Utilities Companys responses to PSC Post Hearing Data Request within the Bitiki EDR Special Contract Review.
06/07/23	Order Entered: KU's motion for deviation from 807 KAR 5:001E, Section 9(2)(b)(2), requiring publication of notice of the May 31, 2023 hearing in a newspaper of general circulation in the areas affected by the tariff filing is granted for notice to the Middlesboro service area.

06/06/23	Multiple Public Comments
06/02/23	Byron Gary Joint Intervenors Kentuckians for the Commonwealth, Kentucky Solar Energy Society, Mountain Association, and Kentucky Resources Joint Intervenors Post Hearing Data Requests
06/02/23	COMMISSION STAFF'S POST-HEARING REQUEST FOR INFORMATION TO KENTUCKY UTILITIES COMPANY
06/01/23	Order Entered: 1. Post-hearing requests for information, if any, shall be filed on or before June 2, 2023. 2. Responses to post-hearing requests for information shall be filed on or before June 14, 2023. 3. All parties shall file a memorandum brief, should they choose to do so, in support of their respective post-hearing position on or before June 29, 2023. 4. All parties shall file any post-hearing responsive briefs, should they choose to do so, addressing only issues raised in the initial briefs on or before July 7, 2023. 5. This case shall stand submitted for a decision by the Commission effective 12:01 a.m. Eastern Daylight Time, July 8, 2023.
05/26/23	Kendrick R. Riggs of Stoll Keenon Ogden PLLC Kentucky Utilities Company KU Mtn to Deviate from Rule re Publication Notice
05/25/23	Kendrick R. Riggs of Stoll Keenon Ogden PLLC Kentucky Utilities Company KUs Errata Filing of Exhibits SAW-1 and SAW-2
05/25/23	Byron Gary Kentuckians for the Commonwealth, Kentucky Solar Energy Society, Mountain Association, and the Kentucky Resources Council, Inc. Notice of Filing of Corrected Invoice for Admission of Thomas Cmar Pro Hac Vice
05/25/23	Michael E Hornung Kentucky Utilities Company Kentucky Utilities Company's submission of the Notarized Affidavit attesting to the publication of Notice of Public Hearing pursuant to Ordering Paragraph (4) of the Commission's Order dated April 10, 2023.
05/25/23	Order Entered: 1. Joint Intervenors' motion for Stacy Sherwood and Chelsea Hotaling to participate virtually in the May 31, 2023 hearing is granted. 2. Commission Staff shall contact participants with instructions for participating remotely.
05/24/23	Byron Gary Joint Intervenors Kentuckians for the Commonwealth, Kentucky Solar Energy Society, Mountain Association, and the Kentucky Resour Entry of Appearance
05/02/23	Tom FitzGerald Joint Intervenors Mountain Association, Kentuckians for the Commonwealth, Kentucky Solar Energy Society, and Kentucky Resources Motion of Joint Intervenors Kentuckians for the Commonwealth, Kentucky Solar Energy Society, Mountain Association, and Kentucky Resources Council for Leave to Allow Witnesses Stacy Sherwood and Chelsea Hotaling to Testify Virtually and for Witness Stacy Sh
05/02/23	Michael E Hornung Kentucky Utilities Company Kentucky Utilities Company's Hearing Notice preparation documents, including instructions for KY Press, Inc. and the hearing notice draft.
04/26/23	IT IS THEREFORE ORDERED that Hema Lochan and Thomas Cmar are admitted pro hac vice for the purpose of representing collectively Joint Intervenors in association with Tom Fitzgerald and Ashly Wilmes in the above-styled proceeding, provided that Tom FitzGerald, Ashly Wilmes, or another member of the Kentucky Bar Association acts as co-counsel and is present at all proceedings before this Commission. Furthermore, Joint Intervenors shall file proof that Hema Lochan, and Thomas Cmar have been certified to practice before the Commission in this case by the Kentucky Bar Association under Supreme Court Rule 3.030(2) within ten days of service of this Order.
04/10/23	Tom FitzGerald Joint Intervenors Kentuckians For The Commonwealth, Kentucky Solar Energy Society, Mountain Association, and Kentucky Resources Motion of Joint Intervenors Kentuckians for the Commonwealth, Kentucky Solar Energy Society, Mountain Association, and Kentucky Resources Council, Inc. To Admit Thomas Cmar Pro Hac Vice; Motion of Joint Intervenors Kentuckians for the Commonwealth, Kentuck
04/10/23	Order Entered: 1. The motion to reschedule the hearing is granted. 2. A hearing in this matter shall be held on May 31, 2023, at 9 a.m. Eastern Daylight Time, in the Richard Raff Hearing Room at the offices of the Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky. 3. Pursuant to 807 KAR 5:001E, Section 2, if the hearing is not concluded on the designated day, the hearing shall be continued upon verbal announcement by the presiding officer. A verbal announcement made by the presiding officer shall be proper notice of the continued hearing. 4. Witnesses who sponsor schedules, testimony, or responses to requests for information shall participate in person at any hearing scheduled in this matter. 5. KU shall give notice of the hearing in compliance with 807 KAR 5:001E, Section 9(2)(b). In addition, the notice of hearing shall include the following statements: "This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov" and "Public comments may be made at the beginning of the hearing.
04/06/23	Tom FitzGerald Joint Intervenors Kentuckians For The Commonwealth, Kentucky Solar Energy Society, Mountain Association, and Kentucky Resources Response of Joint Intervenors To Motion of

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	Kentucky Utilities Company To Amend Procedural Schedule
04/04/23	Rick E. Lovekamp Kentucky Utilities Company KU files a corrected cover letter regarding the Hearing Notice to KY Press
04/04/23	Rick E. Lovekamp Kentucky Utilities Company Kentucky Utilities Company Hearing Notice Request to KY Press
03/31/23	W. Duncan Crosby III of Stoll Keenon Ogden PLLC Kentucky Utilities Company KU Motion to Amend Procedural Schedule
03/31/23	Order Entered: 1. A hearing in this matter shall be held on April 12, 2023, at 9 a.m. Eastern Daylight Time and continuing until called from the bench by the presiding officer, in the Richard Raff Hearing Room at the offices of the Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky. 2. Pursuant to 807 KAR 5:001E, Section 2, if the hearing is not concluded on the designated day, the hearing may be continued upon verbal announcement by the presiding officer. A verbal announcement made by the presiding officer shall be proper notice of the continued hearing. 3. Witnesses who sponsor schedules, testimony, or responses to requests for information shall participate in person at the April 12, 2023 hearing. 4. KU shall give notice of the hearing in compliance with 807 KAR 5:001E, Section 9(2)(b). In addition, the notice of hearing shall include the following statements: “This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov”; and “Public comments may be made at the beginning of the hearing. Those wishing to make oral public comments may do so by following the instructions listed on the PSC website, psc.ky.gov.” At the time the notice is mailed or publication is requested, KU shall forward a duplicate of the notice and request to the Commission. 5. Pursuant to KRS 278.360 and 807 KAR 5:001E, Section 9(9), a digital video transcript shall be made of the hearing.
02/28/23	Ashley Wilmes Kentuckians for the Commonwealth, Kentucky Solar Energy Society, Mountain Association, and Kentucky Resources Council, Inc Request for Hearing of Joint Intervenors
02/28/23	W. Duncan Crosby III of Stoll Keenon Ogden PLLC Kentucky Utilities Company KUs Motion to Submit Case for Decision on the Record
02/21/23	Michael E. Hornung Kentucky Utilities Company Kentucky Utilities Companys ("KU") Rebuttal Testimony in review of Special Contract EDR - Bitiki-KY
02/14/23	Tom FitzGerald Joint Intervenors Kentuckians For The Commonwealth, Kentucky Solar Energy Society, Mountain Association, and Kentucky Resources Corrected Joint Intervenors Kentuckians for the Commonwealth, Kentucky Solar Energy Society, Mountain Association, and Kentucky Resources Council, Inc. Response To Data Requests From Commission Staff, With Attachment
02/14/23	Tom FitzGerald Joint Intervenors Kentuckians For The Commonwealth, Kentucky Solar Energy Society, Mountain Association, and Kentucky Resources Joint Intervenors Kentuckians for the Commonwealth, Kentucky Solar Energy Society, Mountain Association, and Kentucky Resources Council, Inc. Response To Data Requests From Commission Staff and Joint Intervenors Kentuckians for the Commonwealth, Kentucky S
01/31/23	Michael E. Hornung Kentucky Utilities Company Kentucky Utilities Company’s (“KU”) Requests for Information to the Joint Intervenors – Kentuckians for the Commonwealth, Kentucky Solar Energy Society, Mountain Association, and Kentucky Resources Council (“Joint Intervenors”).
01/30/23	COMMISSION STAFF’S FIRST REQUEST FOR INFORMATION TO KENTUCKIANS FOR THE COMMONWEALTH, KENTUCKY SOLAR ENERGY SOCIETY, MOUNTAIN ASSOCIATION, AND THE KENTUCKY RESOURCES COUNCIL
01/17/23	Tom FitzGerald Joint Intervenors Kentuckians For The Commonwealth, Kentucky Solar Energy Society, Mountain Association, and Kentucky Resources Testimony of Chelsea Hotaling and Testimony of Stacy Sherwood On Behalf Of Joint Intervenors Kentuckians For The Commonwealth, Kentucky Solar Energy Society, Mountain Association, and Kentucky Resources Council, Inc.
01/09/23	Michael E. Hornung Kentucky Utilities Company Kentucky Utilities Company’s (“KU”) Responses to Joint Intervenors’ (Kentuckians for the Commonwealth, Kentucky Solar Energy Society, Mountain Association, and Kentucky Resources Council, Inc.) Supplemental Data Requests within the EDR Bitiki-KY review cas
01/09/23	Michael E. Hornung Kentucky Utilities Company Kentucky Utilities Company’s (“KU”) Responses to Commission Staff’s Second Request within the Bitiki-KY EDR review case.
12/26/22	Tom FitzGerald Joint Intervenors Mountain Association, Kentuckians for the Commonwealth, Kentucky Solar Energy Society, and Kentucky Resources Statement of Joint Intervenors Kentuckians for the Commonwealth, Kentucky Solar Energy Society, Mountain Association and Kentucky Resources Council, Inc. Regarding Joint Participation In This Proceeding
12/21/22	Tom FitzGerald Joint Intervenors Mountain Association, Kentuckians for the Commonwealth, Kentucky Solar Energy Society, and Kentucky Resources STATEMENT OF JOINT INTERVENORS

KENTUCKIANS FOR THE COMMONWEALTH, KENTUCKY SOLAR ENERGY SOCIETY, MOUNTAIN ASSOCIATION, AND KENTUCKY RESOURCES COUNCIL, INC. REGARDING RECEIPT OF ELECTRONIC TRANSMISSIONS

12/21/22 Tom FitzGerald Kentucky Resources Council, Inc. SUPPLEMENTAL DATA REQUESTS OF JOINT INTERVENORS KENTUCKIANS FOR THE COMMONWEALTH, KENTUCKY SOLAR ENERGY SOCIETY, MOUNTAIN ASSOCIATION, AND KENTUCKY RESOURCES COUNCIL, INC.

12/21/22 COMMISSION STAFF'S SECOND REQUEST FOR INFORMATION TO KENTUCKY UTILITIES COMPANY

12/16/22 Order Entered: 1. Joint Movants' motion to intervene is granted. 2. Joint Movants are entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order. 3. Joint Movants shall comply with all provisions of the Commission's regulations, 807 KAR 5:001,
Section 8, related to the service and electronic filing of documents. 4. Joint Movants shall adhere to the procedural schedule set forth in the Commission's November 4, 2022 Order and as amended by subsequent Orders. 5. Pursuant to 807 KAR 5:001, Section 8(9), within seven days of service of this Order, Joint Movants shall file a written statement with the Commission that: a. Certifies that they, or their agent, possess the facilities to receive electronic transmissions; and b. Sets forth the electronic mail address to which all electronic notices and messages related to this proceeding shall be served.
6. Each of the Joint Movants shall file a separate copy with the Commission of their individual agreement regarding their joint participation in this matter within ten days of entering into the agreement.

12/16/22 Order Entered: 1. Bitiki's motion to intervene is granted. 2. Bitiki is entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties. 3. Bitiki shall adhere to the procedural schedule set forth in the Commission's November 4, 2022 Order and as amended by subsequent Orders.
4. Bitiki shall comply with all provisions of the Commission's regulations, 807 KAR 5:001, Section 8, related to the service and electronic filing of documents. 5. Pursuant to 807 KAR 5:001, Section 8(9), within seven days of service of this Order, Bitiki shall file a written statement with the Commission that:
a. Certifies that it, or its agent, possesses the facilities to receive electronic transmissions; and
b. Sets forth the electronic mail address to which all electronic notices and messages related to this proceeding shall be served.

12/07/22 Michael E. Hornung Kentucky Utilities Company KU responses to PSC Initial Data Request within EDR contract review - Bitiki-KY

12/07/22 Michael E. Hornung Kentucky Utilities Company KU responses to Joint Intervenors Initial data requests.

11/18/22 Tom FitzGerald Joint Movants For Intervention Kentuckians for the Commonwealth, Kentucky Solar Energy Society, Mountain Association, and Kentuc Tendered Initial Data Requests Of Joint Movants For Intervention as Joint Intervenors Kentuckians for the Commonwealth, Kentucky Solar Energy Society, Mountain Association, and Kentucky Resources Council, Inc.

11/17/22 COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO KENTUCKY UTILITIES COMPANY

11/11/22 Michael E. Hornung Kentucky Utilities Company Please find enclosed and accept for filing a Notice of Entry of Appearance of Counsel and a Written Statement of Electronic Submissions on behalf of Kentucky Utilities Company.

11/10/22 Ashley Wilmes Kentuckians for the Commonwealth, Kentucky Solar Energy Society, Mountain Association, and Kentucky Resources Council Joint Motion of Kentuckians for the Commonwealth, Kentucky Solar Energy Society, Mountain Association, and Kentucky Resources Council for Full Intervention as Joint Intervenors

11/10/22 Michael L Kurtz Bitiki-KY, LLC MOTION TO INTERVENE OF BITIKI-KY, LLC

11/04/22 Order Entered: 1. This proceeding is established to investigate the reasonableness of the proposed EDR Contract. 2. KU's proposed EDR Contract is suspended for five months from November 6, 2022,

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	up to and including April 5, 2023. 3. KU shall, by counsel, enter an appearance in this proceeding within seven days of the date of service of this Order. The entry of appearance shall include the name, address, telephone number, fax number, and electronic mail address of counsel. 4. Unless otherwise ordered by the Commission, the procedures set forth in 807 KAR 5:001, Section 8, related to service and electronic filing of papers shall be followed in this proceeding. 5. Pursuant to 807 KAR 5:001, Section 8(9), within seven days of service of this Order, KU shall file by electronic means a written statement that it waives any right to service of Commission Orders by United States mail and that it or its authorized agent possess the facilities to receive electronic submissions.
10/07/22	KU Contract Filing

Total Number of Cases: 1