

Steven L. Beshear
Governor

Leonard K. Peters
Secretary
Energy and Environment Cabinet



Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
Fax: (502) 564-3460
psc.ky.gov

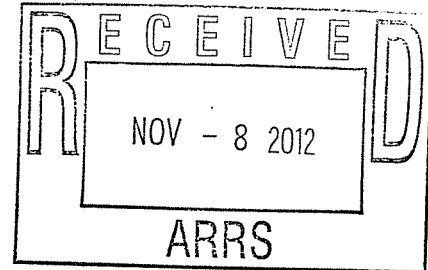
David L. Armstrong
Chairman

James W. Gardner
Vice Chairman

Linda Breathitt
Commissioner

November 8, 2012

Hon. Joe Bowen
Hon. Johnny Bell
c/o Donna Little, Esq.
Administrative Regulation Review Subcommittee
Legislative Research Commission
Room 029
Capitol Annex
Frankfort, Kentucky 40601



Re: Administrative Regulation 807 KAR 5:001. Rules of Procedure.

Dear Senator Bowen and Representative Bell:

After discussions with Administrative Regulation Review Subcommittee Staff of the issues raised by Administrative Regulation 807 KAR 5:001, the Public Service Commission proposes the attached amendment to 807 KAR 5:001.

Sincerely,

A handwritten signature in black ink, appearing to read "Gerald E. Wuetcher".

Gerald E. Wuetcher
Executive Advisor/Attorney

gw
Attachment

Suggested Amendment
ENERGY AND ENVIRONMENT CABINET
Public Service Commission

807 KAR 5:001. Rules of procedure.

Page 1

RELATES TO

Line 5

After “KRS 61.870 – 884,”, insert the following:

278.010, 278.020(3), 278.100, 278.180, 278.300, 365.015,
369.102, 424.300, 47 C.F.R. 36

Delete the remainder of the RELATES TO paragraph in its entirety.

Page 1

NECESSITY, FUNCTION, AND CONFORMITY

Line 9

After “KRS 278.310”, insert “requires”.

Delete “provides”.

Line 10

After “before the commission”, delete “or any commissioner”.

Lines 10 and 11

After “governed by rules”, insert “promulgated”.

Delete “adopted”.

Line 11

After “This administrative regulation”, insert “establishes”.

Delete “prescribes”.

Page 1

Section 1(1)

Line 13

After “(1)”, insert the following:

“Affiliate” means an entity:

(a) That is wholly owned by a utility;

(b) In which a utility has a controlling interest;

(c) That wholly owns a utility;

(d) That has a controlling interest in a utility; or

(e) That is under common control with the utility.

(2)

Page 1

Section 1(1) and (2)

Lines 14 and 15

After “commission.”, insert “(3)”.

Delete “(2)”.

Page 1

Section 1(1)(2) and (3)

Lines 15 and 16

After “278.010(15).”, insert the following:

(4) “Controlling interest in” and “under common control with” mean a utility or other entity if the utility or entity:

(a) Directly or indirectly has the power to direct, or to cause the direction of, the management or policies of another entity; and

(b) Exercises that power:

1. Through one (1) or more intermediary companies, or alone;

2. In conjunction with, or pursuant to an agreement;

3. Through ownership of ten (10) percent or more of the voting securities;

4. Through common directors, officers, stockholders, voting or holding trusts, associated companies;

5. By contract; or

6. Through direct or indirect means.

(5)

Delete “(3)”.

Page 1

Section 1(1)(3) and (4)

Lines 18 and 19

After “receiving electronic messages.”, insert “(6)”.

Delete “(4)”.

Page 2

Sections 1(4) and (5)

Lines 1 and 2

After “an Internet domain.”, insert “(7)”.

Delete “(5)”.

Page 2

Section 1(5)

Line 2

After ““Executive”, lowercase the first letter of “Director”.

Page 2

Section 1(5) and (6)

Lines 4 and 5

After “to that position.”, insert “(8)”.

Delete “(6)”.

Page 2

Section 1(6) and (7)

Lines 8 through 10

After “in a case.”, insert “(9)”.

Delete “(7)”.

Page 2
Section 1(7)
Line 10

After ““Party” means”, insert “a”.
Delete “any”.

Page 2
Section 1(8) and (9)
Lines 20 and 21

Renumber subsections (8) and (9) as subsections (10) and (11), respectively.

Page 2
Section 1(9)
Line 21

After ““Sewage”, insert “utility”.
After “requirements of KRS”, insert “278.010(3)(f)”.
Delete “278.010(12)”.

Pages 2 and 3
Section 1(10) and (11)
Lines 22 and 1

Renumber subsections (10) and (11) as subsections (12) and (13), respectively.

Page 3
Section 2
Line 2

After “Section 2.”, delete “General Offices and”.

Page 3
Section 2(1) through (3)
Lines 2 through 7

Delete subsections (1) and (2) in their entirety and delete the notation, “(3)”.

Page 3
Section 2(3)
Line 7

After “by order except”, insert “if”.
Delete “when”.

Line 9

After “of the hearing.”, insert “A verbal announcement”.
Delete “Verbal announcements”.

Page 3
Section 3(1)(a)
Line 13

After “(a) Advise”, delete “any person”.

Page 3
Section 3(1)(c)
Line 17

After “files, upon request,” insert “a”.
Delete “any”.

Line 18
After “record pertinent to”, insert “a”.
Delete “any”.

Page 3
Section 3(2)
Line 20

After “The executive director”, insert the following:
shall reject for filing a document that
Delete the following:
may reject for filing any document which

Line 21
After “not comply with”, insert “807 KAR Chapter 5”.
Delete the remainder of subsection (2), except the period.

Page 3
Section 4(1)
Line 23

After “be addressed to”, insert a colon.
Delete the opening quotation mark.

Page 4
Section 4(1)
Line 1

After “Kentucky, 40601.”, delete the closing quotation mark.

Page 4
Section 4(2)
Lines 3 and 4

After “be placed on”, insert “each subsequent document”.
Delete “all subsequent documents”.

Page 4
Section 4(3)(b)
Line 9

After “or under oath”, insert “if”.
Delete “when”.

Page 4
Section 4(4)
Line 11

After “shall not file”, insert “a”.
Delete “any”.

Line 15
After “with SCR 3.030(2)”, insert “if”.
Delete “when”.

Page 4
Section 4(5)
Line 16

After “of a party”, insert the following:
and for good cause shown
After “the commission”, insert “shall allow a”.
Delete “may allow any”.

Lines 17 and 18
After “or corrected or”, insert “an”.
Delete “any”.

Line 18
After “omission supplied”, delete “therein”.

Page 4
Section 4(6)(a)
Line 22

After “written request of”, insert “a”.
Delete “any”.

Page 5
Section 4(6)(b)
Lines 3 and 4

After “by the commission”, insert “or a”.
Delete “, or any”.

Page 5
Section 4(6)(c)
Lines 7 and 8

After “its written request”, insert “as”.
Delete “when”.

Page 5
Section 4(7)
Line 16

After “(7) Computation of”, lowercase the first letter of “Time”.

Page 5
Section 4(7)(a)
Line 17

After “(a) In computing”, insert “a”.
Delete “any”.

Lines 17 and 18
After “commission or by”, insert the following:
807 KAR Chapter 5 or KRS Chapter 74 or 278
Delete the following:
any applicable administrative regulation or statute

Page 5
Section 4(7)(b)
Line 22

After “the next day”, insert “that”.
Delete “which”.

Page 6
Section 4(8)(a)
Lines 2 and 3

After “party’s attorney”, insert “if”.
Delete “when”.

Page 6
Section 4(9)(a)
Line 16

After “electronic filing procedures”, insert “established”.
Delete “set forth”.

Page 7
Section 4(10)(a)
Line 1

After “containing an individual’s”, capitalize the first letters of “social” and “security”.

Page 7
Section 4(11)(a)
Line 14

After “(a) In”, insert “a”.
Delete “any”.
After “formal proceeding,”, insert “a”.
Delete “any”.

Line 15
After “the commission may”, insert a comma.
After “by timely motion”, insert a comma.

Page 7
Section 4(11)(b)
Line 20

After “to intervene if”, insert “the commission”.
Delete “it”.

Line 21
After “in the case”, insert “that”.
Delete “which”.

Page 8
Section 4(11)(d)
Line 7

After “(d)”, insert “A”.
Delete “Any”.

Page 8
Section 5(1)
Line 11

After “requests for relief”, insert “that”.
Delete “which”.

Page 8
Section 5(2)
Line 14

After “case shall file”, insert “a”.
Delete “any”.

Page 8
Section 5(3)
Line 16

After “party shall file”, insert “a”.
Delete “any”.

Page 8
Section 6
Lines 21 and 22

After “All documents served”, insert the following:
pursuant to 807 KAR Chapter 5
Delete “under these administrative regulations”.

Page 9
Section 7(1)
Line 2

After “electronic filing procedures”, insert “established”.
Delete “set forth”.

Lines 2 and 3

After “regulation are used,”, insert “if”.
Delete “when”.

Page 9
Section 7(2)(a)
Line 7

After “(a) Form.”, insert “Each filing”.
Delete “Filings”.
After “typewritten, double spaced”, insert a comma.

Page 9
Section 7(2)(b)
Line 9

After “(b) Size.”, insert “Each filing”.
Delete “Filings”.

Lines 9 and 10

After “(11) inches paper”, delete “stock”.

Page 9
Section 7(2)(c)
Line 11

After “(c) Font.”, insert “Each filing”.
Delete “Filings”.
After “point, except footnotes”, insert a comma.

Page 9
Section 7(2)(d)
Line 13

After “(d) Binding.”, insert “A”.
Delete “Any”.

Page 9
Section 7(3)
Line 15

After “this administrative regulation,”, insert “a”.
Delete “any”.

Page 9
Section 7(4)
Line 18

After “(4)”, insert “A document”.
Delete “Documents”.

Page 9
Section 8(1)
Line 22

After “other filing procedures”, insert “established”.
Delete “set forth”.

Page 10
Section 8(2)(a)
Line 4

After “Notice of Election of”, insert “Use of”.
After “Filing Procedures”, lowercase the first letter of “form”.

Page 10
Section 8(4)
Line 11

After “(4)”, insert the following:
(a) Audio or video files.
1. A file containing audio material shall be submitted in MP3 format.
2. A file containing video material shall be submitted in MPEG-4 format.
(b) Except as established in paragraph (a) of this subsection,
Lowercase the first letter of “Each”.

Page 10

Section 8(4)(a) through (e)

Lines 12 through 15 and 18

Renumber each paragraph (a) through (e) as subparagraphs 1. through 5., respectively.

Page 10

Section 8(5)(a)

Line 19

After “(5)(a)”, insert “Each electronic submission”.
Delete “All electronic submissions”.

Page 10

Section 8(5)(a)2.

Line 22

After “A list of all”, insert the following:
material to be filed but
Delete “materials”.

Page 11

Section 8(5)(d)

Lines 6 through 8

After “paper medium version”, delete the following:
(e.g., confidential materials, materials that are too large to transfer by electronic medium)

Page 11

Section 8(6)(c)

Line 14

After “filer shall make”, delete “its”.

Page 11

Section 8(7)

Line 16

After “(7) If filing”, insert “a”.
Delete “any”.

Page 12

Section 8(9)

Line 5

After “(9) Unless”, insert “a party granted leave”.
Delete “it”.
After “filing procedures in”, insert “a”.
Delete “its”.

Page 12

Section 8(9)(b)

Line 11

After “commission granting”, insert “the”.
Delete “its”.

Page 12

Section 8(9)(b)1.

Line 12

After “1.”, insert “The party”.
Delete “It”.

Page 12

Section 8(9)(b)2.

Line 13

After “2.”, insert the following:
The party, or the party’s
Delete “It, or its”.

Page 12

Section 8(10)

Line 15

After “a case states”, insert “an”.
Delete “its”.

Page 12

Section 8(10)(b)1.

Line 23

After “1.”, insert “The party”.
Delete “It”.

Page 13

Section 8(10)(b)2.

Line 1

After “2.”, insert the following:
The party, or the party’s
Delete “It, or its”.

Page 13

Section 8(11)

Lines 3 and 4

After “filing procedures and”, delete “the commission determines that”.

Page 13

Section 8(12)(a)1.

Line 9

After “all other requirements”, insert “established in”.
Delete “imposed by”.

Line 10

After “administrative regulation and”, insert “an”.
Delete “any”.

Page 13
Section 8(12)(b)
Line 13

After “(b)”, insert “Each party”.
Delete “Parties”.

Page 13
Section 8(13)
Line 17

After “with the procedures”, insert “established”.
Delete “set forth”.

Page 13
Section 9(1)
Lines 19 and 20

After “(1)”, insert the following:
Unless required by statute, waived by the parties in the case, or if the commission finds that a hearing is not necessary in the public interest or for the protection of substantial rights
Delete the following:
Except as otherwise determined in specific cases

Page 14
Section 9(2)(a)
Line 1

After “the filing of”, insert “an”.
Delete “any”.

Page 14
Section 9(3)
Line 14

After “The commission may”, delete “at any time”.

Line 15

After “its own motion,”, insert “conduct”.
Delete “make”.

Lines 16 and 17

After “which the commission”, insert the following:
believes is in violation of an order of the commission or KRS Chapter 278 or 807 KAR Chapter 5. The commission may also,
Delete the following:
may believe is in violation of any law or of any order or administrative regulation of the commission. It may also

Line 18

After “or otherwise, obtain”, insert “evidence the commission finds”.
Delete the following:
any evidence as it may consider

Line 19

After “or desirable in”, insert “a”.
Delete “any”.

Page 15

Section 9(6)

Lines 12 and 13

After “the parties to”, insert “a”.
Delete “any”.

Page 15

Section 9(8)

Line 19

After “the grounds for”, delete “its”.

Page 15

Section 9(9)(a)

Line 22

After “record shall be”, insert “a”.
Delete “in”.

Line 23

After “recording.”, insert “1.”.

Page 16

Section 9(9)(a)

Line 1

After “made by a”, insert “commission-authorized reporter. 2.”.
Delete the following:
reporter approved by the commission.

Line 2

After “grant the motion.”, insert “3.”.

Line 3

After “and shall ensure”, insert “that”.

Page 16

Sections 10 and 10(1)

Line 10

After “Section 10. Briefs.”, insert “Each brief”.
Delete “(1) All briefs”.

Page 16

Section 10(1)

Lines 10 and 11

After “the time fixed.”, insert “A”.
Delete the following:
The commission may refuse to consider any brief filed beyond the
time fixed. Any

Page 16

Section 10(2)

Lines 13 and 14

Delete subsection (2) in its entirety.

Page 17
Section 11(2)

Line 1

After “(2)”, insert “I”.
Delete “Where”.

Line 3

After “so offered. If”, delete “any”.

Line 4

After “the book, paper”, insert a comma.

Line 10

After “the book, paper”, insert a comma.

Page 17
Section 11(4)

Line 18

After “(4) Except as”, delete “may be”.

Line 19

After “of the record”, insert “a”.
Delete “any”.

Page 17
Section 11(5)

Line 22

After “Upon motion of”, insert “a”.
Delete “any”.
After “to a proceeding”, insert “the record of a”.
Delete “any”.

Page 18
Section 11(5)

Line 1

After ““reference only.””, insert “(a)”.

Line 2

After “into the record.”, insert “(b)”.

Line 3

After “excerpts from”, insert “the record of a”.
Delete “any”.
After “or part of”, insert “a”.
Delete “any”.

Line 4

After “the request of”, insert “a”.
Delete “any”.

Page 18
Section 12
Lines 8 and 9

After “the order indicated”, insert the following:
in subsections (1) through (9)
Delete “below”.

Page 18
Section 12(3)
Line 12

After “of preferred stock”, insert a comma.
Delete “whether”.

Page 18
Section 12(4)
Line 14

After “(4)”, insert “A”.
Lowercase the first letter of “Brief”.

Line 15

After “name of mortgagee”, delete the comma.

Lines 16 and 17

After “together with”, delete “any”.

Line 17

After “sinking fund provisions”, insert “, if applicable”.

Page 18
Section 12(5)
Line 18

After “of bonds authorized”, delete the comma.

Lines 18 and 19

After “the public utility”, insert “that”.
Delete “which”.

Line 19

After “each class separately”, delete the comma.
After “and giving”, insert “the”.

Page 19
Section 12(7)
Line 2

After “or assumption of”, insert “a”.
Delete “any”.

Page 19
Section 12(9)
Line 7

After “(9)”, insert “A”.
Lowercase the first letter of “Detailed”.

Page 19
Section 13(1)
Lines 9 and 10

After “public unless the”, delete the following:
commission or the official custodian of the commission’s records
determines the

Page 19

Section 13(2)(a)

Line 12

After "(a)", insert "A person who requests".

Delete "Any person requesting".

After "confidential treatment of", delete "any".

Page 19

Section 13(2)(a)1.

Line 14

After "1.", insert "Establishes".

Delete "Sets forth".

Page 20

Section 13(2)(c)

Line 10

After "confidentiality is sought", insert "redacted".

Delete "obscured".

Page 20

Section 13(2)(e)

Line 16

After "(e)", insert "A".

Delete "Any".

Page 20

Section 13(2)(f)

Line 18

After "electronic filing procedures", insert "established".

Delete "set forth".

Page 20

Section 13(3)

Lines 22 and 23

After "outside of a", insert "case".

Delete "formal proceeding".

Page 21

Section 13(3)(a)

Line 1

After "(a)", insert "A person who requests".

Delete "Any person requesting".

After "confidential treatment of", delete "any".

Page 21

Section 13(3)(a)1.

Line 4

After "1.", insert "Establishes".

Delete "Sets forth".

Page 21
Section 13(3)(b)
Line 18

After “with those portions”, insert “redacted”.
Delete “obscured”.

Page 21
Section 13(3)(c)
Line 23

After “disclosure requirements”, insert “established”.
Delete “set forth”.

Page 22
Section 13(3)(d)
Lines 4 and 5

After “disclosure requirements”, insert “established”.
Delete “set forth”.

Page 22
Section 13(3)(e)
Line 10

After “with the procedures”, insert “established”.
Delete “set forth”.

Lines 11 and 12

After “executive director’s determination.”, insert the following:
(f) If the executive director denies a request for confidential treatment, the material for which confidential treatment was sought shall not be placed in the public record for twenty (20) days to allow the requesting party to petition the commission.

Page 22
Section 13(4)
Line 13

After “(4) Pending”, insert the following:
action by the commission on a motion for confidential treatment or by its executive director on a request
Delete the following:
commission action on a request or motion

Page 22
Section 13(5)
Line 15

After “If the petition”, insert “or motion”.
Delete “, motion or request”.

Page 22
Section 13(6)
Line 19

After “(6) Procedure for”, insert “a”.
Delete “any”.
After “material filed in”, insert “a”.
Delete “any”.

Page 22
Section 13(6)(a)
Line 21

After “party to”, insert “a”.
Delete “any”.

Line 22

After “its staff or”, insert “another”.
Delete “any other”.

Line 23

After “of confidentiality.”, insert “1. If a”.
Delete “If any”.

Page 23
Section 13(6)(a)
Line 1

After “by the commission,”, insert “the party”.
Delete “it”.

Line 2

After “petitioning for confidentiality”, insert “established”.
Delete “contained”.
After “this administrative regulation.”, insert “2. A”.
Delete “Any”.

Line 4

After “treatment is sought”, insert “redacted”.
Delete “obscured”.

Page 23
Section 13(6)(b)
Line 6

After “protective agreements, then”, insert “a”.
Delete “any”.

Line 8

After “in the proceeding.”, insert “1”.

Line 9

After “protective agreement and”, delete “any”.
After “unwillingness”, insert “, if applicable,”.

Line 10

After “be fully explained.”, insert “2. A”.
Delete “Any”.

Line 11

After “with the commission.”, insert “3”.

Page 23

Section 13(7)

Line 15

After “the right of”, insert “a”.
Delete “any”.

Lines 17 and 18

After “with the procedure”, insert “established”.
Delete “prescribed”.

Page 23

Section 13(8)

Line 19

After “to confidential material.”, insert “A”.
Delete “Any”.

Line 21

After “with the procedures”, insert “established”.
Delete “set out”.

Page 24

Section 13(9)(a)

Line 1

After “(a)”, insert “A”.
Delete “Any”.

Page 24

Section 13(9)(a)2.

Line 7

After “the filed material”, delete “which is”.

Line 8

After “with those portions”, insert “redacted”.
Delete “obscured”.

Page 24

Section 13(9)(b)

Line 10

After “(b)”, delete “Any”.
Capitalize the first letter of “material”.

Page 24

Section 13(9)(b)2.

Line 14

After “2.”, insert “A person”.
Delete “All persons”.

Page 24

Section 13(10)

Line 19

After “Material granted confidentiality”, insert “that”.
Delete “which”.

Page 25

Section 13(10)(b)

Lines 12 and 13

After “commission in writing”, insert “if”.

Delete the following:

at any time when any

Page 25

Section 13(10)(c)

Lines 16 and 17

After “to respond. If”, delete “the commission finds”.

Page 26

Section 13(10)(e)

Lines 7 and 8

After “(20) days following”, insert “an”.

Delete “any”.

Line 9

After “petitioner to seek”, insert “a”.

Delete “any”.

Page 26

Section 14(1)

Line 10

After “Contents of application.”, insert “Each application”.

Delete “All applications”.

Line 11

After “The petition shall”, insert “establish”.

Delete “set forth”.

Page 27

Section 15(1)

Line 10

After “permit offered by”, insert “a”.

Delete “any”.

Page 27

Section 15(1)(d)

Line 17

After “the franchise, license”, insert a comma.

Page 27

Section 15(2)

Line 19

After “construction or extension.”, insert “Upon application”.

Delete “When application is made”.

Lines 21 and 22

After “plant, equipment, property”, insert a comma.

Page 28
Section 15(2)(d)
Line 11

After “to scale of”, delete “any”.

Page 28
Section 15(3)
Line 23

After “plant, equipment, property”, insert a comma.

Page 29
Section 15(4)
Line 6

After “Renewal applications.”, delete “Insofar”.
Capitalize the first letter of “as”.
After “procedure is concerned,”, insert “an application”.
Delete “applications”.

Page 29
Section 16(1)
Lines 9 and 10

After “(1)”, insert “Each application”.
Delete “All applications”.

Page 29
Section 16(1)(a)1.
Line 12

After “historical test period”, insert “that”.
Delete “which”.

Page 29
Section 16(1)(b)4.
Line 22

After “4.”, delete “Any”.
Capitalize the first letter of “new”.
After “revised tariff sheets”, insert the following:
 , if applicable in a format that
Delete “in a format which”.

Page 30
Section 16(1)(b)5.
Line 1

After “5.”, delete “Any”.
Capitalize the first letter of “new”.
After “revised tariff sheets”, insert “, if applicable,”.

Pages 30 and 31
Section 16(1)(b)7. and 8., Including Clauses and Subclauses Thereto
Lines 9 through 23 and 1 through 4

Delete subparagraphs 7. and 8. in their entirety, including all clauses and subclauses thereto.

Page 31
Section 16(2)

Line 7

After “filing its application.”, insert “(a)”.

Lines 7 and 8

After “shall state”, insert “if”.

Delete “whether”.

Line 9

After “forecasted test period.”, insert “(b) Upon”.

Delete “When”.

Line 11

After “includes a coupon”, insert “that”.

Delete “which”.

Line 12

After “or rate changes.”, insert “(c)”.

Page 31

Section 16(3)(a)1.

Line 19

After “meet the requirements”, insert “established”.

Delete “set forth”.

Page 32

Section 16(4)(c)

Lines 21 and 22

After “local exchange companies”, insert a comma.

Page 33

Section 16(4)(e)

Line 4

After “A statement that”, insert “a”.

Delete “any”.

Line 7

After “Kentucky 40602 that”, insert “establishes”.

Delete “sets forth”.

Page 33

Section 16(4)(g)

Line 13

After “A statement that”, insert “a”.

Delete “any”.

Page 34

Section 16(6)

Line 6

After “the notice requirements”, insert “established”.

Delete “listed”.

Page 34
Section 16(7)
Line 17

After “the proposed rates”, insert a comma.

Line 18
After “includes a coupon”, insert “that”.
Delete “which”.

Page 34
Section 16(9)
Line 23

After “(9)”, insert “Each application”.
Delete “All applications”.

Page 35
Section 16(9)(a)
Line 4

After “proper support for”, delete “any”.
After “or activity levels”, insert “, if applicable”.
After “, and”, delete “any”.

Lines 4 and 5
After “other factors”, insert “that”.
Delete “which”.

Page 35
Section 16(9)(c)
Line 10

After “plan to submit”, delete “any”.

Page 36
Section 16(9)(k)
Line 5

After “opinion report, with”, delete “any”.

Line 6
After “to the utility”, insert “, if applicable”.

Page 37
Section 16(9)(o)
Line 1

After “or model;”, insert “and” (before “the specifications”).

Page 37
Section 16(9)(t)
Line 12

After “the utility had”, delete “any”.

Line 13
After “office or paid”, delete “any”.

Page 38

Section 16(9)(v)1.

Lines 4 and 5

After “study consistent with”, insert “47 C.F.R.”.

After “Part 36”, delete the remainder of subparagraph 1., except “; and”.

Page 38

Section 16(10)

Line 12

After “ensure fair, just”, insert a comma.

Line 13

After “be filed with”, insert “each application”.

Delete “applications”.

Page 39

Section 16(10)(c)6.

Line 7

After “The original cost”, insert “and the”.

Delete the comma.

Page 39

Section 16(10)(c)7.

Line 9

After “An explanation of”, delete “any”.

After “differences”, insert “, if applicable.”.

Page 40

Section 16(12)

Line 14

After “(12)”, insert “Each application”.

Delete “All applications”.

Page 40

Section 16(12)(a)

Lines 17 and 18

After “its application”, insert a comma.

Page 41

Section 16(12)(d)

Line 5

After “the base period”, insert a comma.

Page 41

Section 16(12)(e)

Lines 6 and 7

After “Kentucky operations”, insert a comma.

Page 41

Section 16(12)(e)1.

Line 8

After “in good faith”, insert a comma.

Page 41

Section 16(12)(e)2.

Lines 11 and 12

After “and explanation for”, delete “any”.

Line 12

After “differences that exist”, insert “, if applicable”.

Page 41

Section 16(12)(f)

Line 14

After “major construction project”, insert “that”.
Delete “which”.

Page 42

Section 16(12)(g)

Line 1

After “all construction projects”, insert “that”.
Delete “which”.

Page 42

Section 16(12)(h)15.

Line 23

After “15.”, insert the following:
Sales volume forecasts – cubic feet
Delete “MCF sales forecasts”.

Page 43

Section 16(12)(h)17.

Line 3

After “detailed explanation of”, delete “any”.
After “other information provided”, insert “, if applicable”.

Page 44

Section 16(12)(q)

Line 1

After “to the utility”, insert “that”.
Delete “which”.

Page 44

Section 16(12)(u)

Line 17

After “the utility had”, delete “any”.

Line 18

After “office or paid”, delete “any”.

Page 45

Section 16(12)(u)4.

Line 4

After “amount charged, allocated”, insert a comma.

Page 45

Section 16(12)(w)1.

Lines 12 and 13

After “study consistent with”, insert “47 C.F.R.”.

After “Part 36”, delete the remainder of subparagraph 1., except “; and”.

Page 45

Section 16(13)

Line 19

After “(13)”, insert “Each application”.

Delete “All applications”.

Page 45

Section 16(13)(a)

Lines 21 and 22

After “the forecasted period”, insert “that”.

Delete “which”.

Page 46

Section 16(13)(b)

Line 2

After “with supporting schedules”, insert a comma.

Page 46

Section 16(13)(c)

Line 5

After “with supporting schedules”, insert a comma.

Page 47

Section 16(13)(m)

Line 9

After “supporting schedules”, insert a comma.

Page 47

Section 16(14)

Line 13

After “the utility of”, delete “any”.

After “deficiencies”, insert “, if applicable”.

Line 15

After “utility shall cure”, delete “any”.

Line 16

After “giving notice of”, delete “any”.

Page 47

Section 16(15)

Line 17

After “for waiver of”, delete “any of the”.

Lines 17 and 18

After “filing requirements shall”, insert “establish”.

Delete “set forth”.

Line 19

After “utility. In determining”, insert “if”.
Delete “whether”.

Line 20

After “shown, the commission”, insert “shall”.
Delete “may”.

Page 47

Section 16(15)(a)

Line 21

After “(a)”, insert “If”.
Delete “Whether”.
After “other information”, insert “that”.
Delete “which”.

Page 48

Section 16(15)(b)

Line 1

After “(b)”, insert “If”.
Delete “Whether”.
After “the information”, insert “that”.
Delete “which”.

Line 2

After “from the information”, insert “that”.
Delete “which”.

Page 48

Section 16(15)(c)

Line 4

After “providing the information”, insert “that”.
Delete “which”.

Page 48

Section 17

Line 6

After “Notes, Bonds, Stocks”, insert a comma.

Page 48

Section 17(1)

Line 7

After “(1)”, insert “Upon”.
Delete “When”.
After “application”, delete “is made”.

Line 8

After “notes, bonds, stocks”, insert a comma.

Lines 9 and 10

After “the date thereof”, insert “pursuant to”.
Delete “under”.

Page 48

Section 17(1)(a)

Line 13

After “to the applicant”, insert a period.
Delete the comma, and capitalize the first letter of “if”.

Page 48

Section 17(1)(b)

Line 17

After “of notes, bonds”, insert a comma.

Lines 18 and 19

After “rate of interest”, insert a comma.

Line 19

After “and”, insert “if”.
Delete “whether”.

Page 48

Section 17(1)(c)

Line 20

After “the issue of”, delete “any”.

Lines 20 and 21

After “bonds, stocks”, insert a comma.

Page 49

Section 17(1)(d)

Line 2

After “property in detail”, insert “that”.
Delete “which”.

Line 4

After “improvement of facilities”, insert “established”.
Delete “set forth”.

Lines 6 and 7

After “from its capital.”, insert “If a contract has”.
Delete “Whether any contracts have”.

Line 7

After “the acquisition of”, delete “any”.
After “property, or for”, delete “any”.

Line 8

After “construction, completion, extension”, insert a comma.

Lines 8 and 9

After “the disposition”, delete “of any”.

Line 9

After “notes, bonds, stocks”, insert a comma.
After “evidence of indebtedness”, insert “that”.
Delete “which”.

Line 10

After “thereof and if”, insert “a contract has”.
Delete “any contracts have”.

Page 49

Section 17(1)(f)

Line 18

After “(f)”, delete “Any”.
Capitalize the first letter of “other”.
After “facts”, delete “as may be”.

Page 49

Section 17(2)(b)

Line 21

After “or mortgages, if”, insert “applicable”.
Delete “any”.

Page 50

Section 17(2)(c)

Lines 3 and 4

After “according to the”, insert the following:
commission-prescribed uniform system of accounts
Delete the following:
uniform system of accounts prescribed by the commission

Page 50

Section 18(1)

Line 6

After “upon application by”, insert “a”.
Delete “any”.

Line 7

After “the applicability to”, insert “a”.
Delete “any”.
After “person, property”, insert a comma.

Line 8

After “of facts of”, insert “an”.
Delete “any”.

Line 9

After “and scope of”, insert “an”.
Delete “any”.

Page 50

Section 18(2)(d)

Lines 16 and 17

After “the application relates”, delete the remainder of paragraph (d),
except “; and”.

Page 50

Section 18(3)

Line 19

After “The commission may”, delete “in its discretion”.

Line 20

After “be served on”, insert “a person who”.
Delete the following:
any person the commission deems

Page 50

Section 18(4)

Line 22

After “(4) Responses, if”, insert “applicable”.
Delete “any”.

Page 51

Section 18(4)

Line 1

After “with the commission”, insert “and shall”.
Delete the following:
or within the time the commission directs; and

Page 51

Section 18(5)

Line 3

After “(5)”, insert the following:
A reply to a response shall
Delete “Replies to responses may”.

Lines 3 and 4

After “days after service”, delete the remainder of subsection (5), except the period.

Page 51

Section 18(6)

Line 5

After “(6)”, insert the following:
Each application, response, and reply containing an allegation
Delete the following:
All applications, responses and replies containing allegations

Line 6

After “by affidavit or”, insert “shall be”.

Page 51

Section 18(7)

Line 7

After “The commission may”, delete “in its sole discretion”.

Line 8

After “written submissions filed”, delete “before it”.

Page 51

Section 19(1)

Line 13

After “Service Commission,” shall”, insert “establish”.
Delete “set out”.

Page 51

Section 19(1)(c)

Line 18

After “with a reference,”, insert “if”.
Delete “where”.

Lines 18 and 19

After “law, order, or”, insert the following:
administrative regulation section and subsection
Delete “section, and subsections”.

Line 20

After “if any, as”, delete “may be”.

Line 21

After “The complainant shall”, insert “specifically establish the relief”.
Delete the following:
set forth definitely the exact relief which is

Page 52

Section 19(2)

Line 1

After “attorney, if”, insert “applicable”.
Delete “any”.

Lines 1 and 2

After “post office address.”, insert the following:
A complaint by a corporation, association, or another organization with
Delete the following:
Complaints by corporations or associations, or any other organization having

Line 3

After “be signed by”, insert “the entity’s”.
Delete “its”.

Page 52

Section 19(4)(a)

Line 9

After “same to ascertain”, insert “if”.
Delete “whether”.

Line 10

After “administrative regulation.”, insert “1.”.

Line 11

After “this administrative regulation,”, insert “the commission”.
Delete “it”.

Line 12

After “effect, and opportunity”, insert “shall”.
Delete “may”.

Line 13

After “a specified time.”, insert “2.”.
After “complaint is not”, delete “so”.

Line 14

After “good cause shown,”, insert “shall grant, the complaint”.
Delete “may grant, it”.

Page 52

Section 19(4)(b)

Line 16

After “(b) If the”, delete the following:
commission is of the opinion that the

Line 17

After “as amended,”, insert “establishes”.
Delete “does establish”.

Line 18

After “an order upon”, insert “the”.
Delete “any”.

Lines 18 and 19

After “person complained of”, delete the following:
under the hand of its executive director and attested by its seal

Line 20

After “to the person”, insert “complained of”.

Page 53

Section 19(5)

Line 4

After “the complainant and”, insert “with”.

Page 53

Section 19(6)

Line 9

After “good cause shown,”, insert “shall grant. (a)”.
Delete “may grant.”.

Line 11

After “a statement of”, delete “any”.
After “constituting a defense.”, insert “(b)”.

Lines 11 and 12

After “the answering party”, insert “does not have information”.
Delete the following:
has no information or belief upon the subject

Page 53

Section 20(1)

Line 15

After “(1)”, insert “An informal complaint”.
Delete “Informal complaints”.

Line 16

After “consumer services in”, insert “a”.
Delete “any”.

Page 54

Section 22(1)(c)

Line 17

After “(c) “”, delete “PSC”.
After “Notice of”, insert “Election of Use of”.
After “Electronic Filing Procedures”, delete “Form”.

Page 54

Section 22(1)(e) through (g)

Lines 19 through 21

After “(e)”, insert the following:

Form 8-K”, January 2012;

(f) “Form 10-K”, January 2012; and

(g) “Form 10-Q”, January 2012.

Delete the remainder of paragraph (e) and delete paragraphs (f) and (g) in their entirety.