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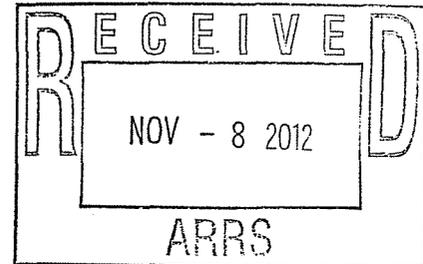
David L. Armstrong
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James W. Gardner
Vice Chairman

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 5:011. Tariffs.

Dear Senator Bowen and Representative Bell:

After discussions with Administrative Regulation Review Subcommittee Staff of the issues raised by Administrative Regulation 807 KAR 5:011, the Public Service Commission proposes the attached amendment to 807 KAR 5:011.

Sincerely,

Gerald E. Wuetcher
Executive Advisor/Attorney

gw
Attachment

Suggested Amendment
ENERGY AND ENVIRONMENT CABINET
Public Service Commission

807 KAR 5:011. Tariffs.

Page 1

RELATES TO

Line 6

After “278.190”, insert “, 369.102(8)”.
Delete the period.

Page 1

Section 1(3)(a)

Line 19

After “completed, additional charges”, insert “are not”.
Delete “shall not be”.

Page 2

Section 1(7)

Line 3

After “signature or an”, insert an opening quotation mark.
After “electronic signature”, insert a closing quotation mark.

Page 2

Section 2(4)

Line 19

After “electronic copy of”, insert “the utility’s”.
Delete “its”.

Page 2

Section 2(5)(a)

Line 22

After “a copy of”, insert “the utility’s”.
Delete “its”.

Page 3

Section 3(1)(c)

Line 7

After “headers and footers”, insert a comma.

Page 3

Section 3(2)(a)

Line 11

After “street address of”, insert “the utility’s”.
Delete “its”.
After “principal office”, delete the comma.

Page 4
Section 3(4)
Line 16

After “commission to affix”, insert “the commission’s”.
Delete “its”.

Page 4
Section 4(1)
Line 18

After “city, town, village”, insert a comma.

Page 4
Section 4(1)(a)
Line 20

After “number of communities,”, insert “the schedule”.
Delete “it”.

Page 5
Section 4(1)(b)
Line 1

After “(b)”, insert “If a utility indicates”.
Delete “A utility may indicate”.

Lines 1 and 2

After “the index sheet”, insert “, the utility shall use”.
Delete “with”.

Page 5
Section 4(2)(g)
Line 15

After “Special rules: list”, delete “any”.
After “rules or requirements”, insert “, if applicable,”.

Page 5
Section 4(3)
Line 17

After “of service available”, insert “pursuant to”.
Delete “under”.

Page 6
Section 6(1)
Lines 18 and 19

After “(1)”, insert the following:
A tariff, tariff sheet, or tariff provision shall not

Delete the following:

No tariff, tariff sheet, or tariff provision may

After “be changed, cancelled”, insert a comma.

Lines 19 and 20

After “as provided by”, insert “this Section and Section”.
Delete “Sections 6 and”.

Page 7
Section 7
Line 13

After “existing tariff”, insert “establishing”.
Delete “setting out”.

Page 8
Section 8(1)(a)
Line 3

After “has become effective”, insert a period.
Delete “; and”.

Page 9
Section 8(3)(e)
Line 10

After “A statement that”, insert “a”.
Delete “any”.

Line 13

After “Kentucky 40602 that”, insert “establishes”.
Delete “sets forth”.

Page 9
Section 8(3)(f)
Line 15

After “A statement that”, insert “a”.
Delete “any”.

Page 10
Section 8(4)(b)
Line 6

After “(b) If”, insert “the utility’s”.
Delete “its”.

Page 11
Section 9(2)
Lines 4 and 5

After “rate revision. If”, delete “the commission determines that”.

Line 5

After “there”, insert “is”.
Delete “was”.
After “substantial omission, which”, insert “is”.
Delete “was”.

Page 11
Section 10(1)(c)
Line 17

After “general rate case”, delete the comma.

Page 12
Section 10(3)(a)
Line 6

After “to the information”, insert “established”.
Delete “set out”.

Page 12
Section 10(3)(b)
Lines 9 and 10

After “other applicable valuation”, insert “method”.
Delete “methods”.

Line 10

After “greater than that”, delete “which was”.

Page 12
Section 10(3)(c)
Line 12

After “the absorption test,”, insert “a”.
Delete “any”.

Page 12
Section 10(4)
Line 14

After “(4)”, insert the following:
Upon a utility’s submitting the filing to the commission, the utility
Delete the following:
When the utility submits its filing to the commission, it

Page 13
Section 11(5)
Line 12

After “in the form”, insert “established”.
Delete “prescribed”.

Page 13
Section 11(6)(a)
Line 16

After “existing tariff that”, insert the following:
establishes the rates and requirements

Page 13
Section 11(6)(a)1.
Line 17

After “1.”, delete the following:
Sets out the rates and requirements
Capitalize the first letter of “of”.

Line 18

After “adopted by”, insert “the successor utility”.
Delete “it”.

Page 13

Section 11(6)(a)2.

Line 19

After “2.”, insert “The utility”.

Delete the following:

Sets out the rates and requirements it

After “into effect for”, insert “the customers served by”.

Page 13

Section 11(6)(b)

Line 21

After “existing tariffs that”, insert the following:

establish the rates and requirements

Page 13

Section 11(6)(b)1.

Line 22

After “1.”, delete the following:

Set out the rates and requirements

Capitalize the first letter of “of”.

Line 23

After “adopted by”, insert “the successor utility”.

Delete “it”.

Page 14

Section 11(6)(b)2.

Line 1

After “2.”, insert “The utility”.

Delete the following:

Set out the rates and requirements it

After “into effect for”, insert “the customers served by”.

Page 14

Section 11(7)(b)

Line 6

After “existing tariff states”, insert “a”.

Delete “any”.

Page 14

Section 12

Line 9

After “Tariffs, Administrative Regulations”, insert a comma.

Page 14

Section 12(2)(a)

Line 14

After “tariffs and supplements”, insert “establishing”.

Delete “setting out”.

Line 15

After “charges, rules”, insert a comma.

Page 14

Section 12(2)(c)

Line 20

After “A copy of”, insert “KRS Chapter 278”.
Delete the remainder of paragraph (c), except “; and”.

Page 14

Section 12(2)(d)

Line 21

After “A copy of”, insert “807 KAR Chapter 5”.
Delete the remainder of paragraph (d), except the period.

Page 15

Section 13

Line 2

After “governing utility service”, insert “that establish”.
Delete “which set out”.
After “rates, charges”, insert a comma.

Page 15

Section 14

Line 5

After “regulation”, insert the following:
. Confidential material shall be treated