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Via Hand Delivery

August 31, 2012

Mr. Gerald Wuetcher
Kentucky Public Service Commission
P. O. Box 615
Frankfort, KY 40602-0615

**RE: Supplemental Comments on Proposed Changes to 807 KAR
5:001 – Rules of Procedure, 807 KAR 5:006 – General Rules, and
807 KAR 5:011 – Tariffs**

Dear Mr. Wuetcher:

By electronic mail (“e-mail”) of August 20, Big Rivers Electric Corporation (“Big Rivers”) provided comments on proposed changes to 807 KAR 5:001 – Rules of Procedure. Big Rivers attended the August 27 Hearing at the Commission’s Frankfort Offices on the aforementioned regulatory changes. Other Big Rivers personnel viewed the video stream of that August 27 Hearing. Big Rivers hereby provides clarification of its August 20 e-mail comments, and supplemental comments on statements made at the August 27 Hearing.

Clarification of August 20 E-Mail Comments

In its August 20 e-mail, Big Rivers suggested that the proposed changes to 807 KAR 5:001 – Rules of Procedure needed to provide for the filing of certain documents on electronic media for those applicants not electing the electronic filing option. In other words, all applicants electing to file hardcopy applications and discovery responses may submit certain information on electronic media. Having this “electronic media option,” would save applicants time and resources, and would save the Commission times and resource for storage of information.

Specifically, Big Rivers strongly encourages that the current draft of 807 KAR 5:001, Section 4(9) - Filing be revised to allow submission of voluminous documents on electronic media. Such “electronic media” submittals would be subject to the following provisions –

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1. All such documents must be provided on electronic media, e.g., CD or flash drive, from which all parties would be able to access the documents.
2. All such document would be clearly identifiable by filename. For example, a document provided as a testimony exhibit should be clearly labeled as *Ex Witness Surname* - followed by a brief description of the document (*Ex Hickman-2 – Brief Description*). If provided in response to discovery, the filename should clearly identify the party to whom the response is given, the version of the responses, and a brief description of the document. For example, a document provided in a response to Item 24c of the Commission Staff's Third Request for Information would be labeled *PSC 3-24c – Brief Description*).
3. The party providing these documents would provide a separate listing of each such file listing the filenames and the witness(es) sponsoring that document.
4. All such documents must be in a searchable format. This would apply to all e-mails, word processing files, electronic spreadsheets, and portable document format ("PDF") files, e.g., Microsoft Outlook, Microsoft Word, Microsoft Excel, and Acrobat.
5. The party providing these documents must affirm it has verified that all the documents are searchable.
6. This option would be available for all e-mails and for all documents of 100 pages or more.
7. Providing documents in this manner would not require the party to file a Motion for Deviation since the documents would be compliant with the revised rules.
8. Motions for Deviation would be still be required when the party deviates from the rules.

Supplemental Comments from August 27 Hearing

Parties making comments at the August 27 Hearing provided a number of insightful observations about the current draft of the proposed regulations. Big Rivers hereby provides support for, and suggested language regarding, the following topics.

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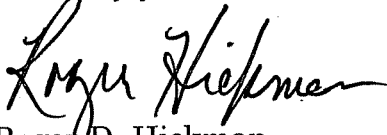
1. *Confidential Treatment* – Big Rivers concurs that the confidential nature of any documents submitted under a Petition for Confidential Treatment, and the term for that confidential treatment, should be decided when a party makes the initial request for confidential treatment. Big Rivers believes these documents may fall into one of three categories. First, there are documents of such a sensitive nature that they should be confidential in perpetuity. Second, there are documents covering long periods of time, e.g., forecasts, that should remain confidential throughout that forecast horizon and for a term beyond that horizon. For example, a forecast through 2020 could be held confidential through December 31, 2027, *i.e.*, the regulation would permit a release into the public domain seven years following the latest year in the forecast. Finally, a third group of such documents might require only ‘interim’ confidential treatment, *e.g.*, five years.
2. *Electronic Filing* – Big Rivers concurs that applicants electing the electronic filing option should be exempt from providing any hardcopies of its filing.
3. *AMR Meter Testing* – Big Rivers concurs with those parties whose have expressed concern about the burdensome nature of this meter testing requirement. Big Rivers suggest this language be revised, or dropped, as recommended by those parties expressing this concern.
4. *Tariff Format Changes* – Big Rivers concurs that these regulations should clearly note that all existing tariffs are grandfathered into the revised regulation, and that the changes are to be implemented as regulated utilities makes tariff changes on a prospective basis.

Finally, Big Rivers applauds the Commission and the Commission Staff for the open and transparent nature in which these revisions have been

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developed. Big Rivers thanks the Commission and its Staff for the opportunity to participate in this process.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Roger Hickman".

Roger D. Hickman
Regulatory Affairs Manager

Cc: Albert Yockey
John Talbert