## COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

## In the Matter of:

APPLICATION OF KENTUCKY UTILITIES COMPANY FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY AND APPROVAL OF ITS 2011 COMPLIANCE PLAN FOR RECOVERY BY ENVIRONMENTAL SURCHARGE	) ) ) )	CASE NO. 2011-00161
APPLICATION OF LOUISVILLE GAS AND ELECTRIC COMPANY FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY AND APPROVAL OF ITS 2011 COMPLIANCE PLAN FOR RECOVERY BY ENVIRONMENTAL SURCHARGE	) ) )	CASE NO. 2011-00162

## ORDER

On August 5, 2011, Kentucky Utilities Company ("KU") and Louisville Gas and Electric Company ("LG&E") filed identical motions in their respective cases requesting a deviation from the Commission's June 28, 2011 Order, which required KU and LG&E to provide an original and 15 copies of all data responses and attachments. KU and LG&E state that the documents contained in their responses to the Initial Requests for Production of Documents filed by Rick Clewett, Raymond Berry, Sierra Club, and Natural Resources Defense Council ("Environmental Intervenors' Initial Request") Nos. 3, 4, 10, 11, 17, and 26 total approximately 500 megabytes of data on multiple compact discs. KU and LG&E point out that to provide such attachments on paper would total over 200,000 pages per copy and certain attachments would be unintelligible because they are intended to be read by computers. Moreover, KU and LG&E assert that the

Environmental Intervenors' Initial Request explicitly requested that responses be provided in electronic format.

Due to the voluminous nature of these documents, KU and LG&E request permission to provide the Commission and the parties to these cases electronic copies only of the responses to the Environmental Intervenors' Initial Request Nos. 3, 4, 10, 11, 17, and 26.

Having reviewed the motion and being otherwise sufficiently advised, the Commission finds that KU and LG&E have established good cause to deviate from the provision in the June 28, 2011 Order that requires the filing of 15 paper copies with the Commission and service of a paper copy on all parties to these cases. The Commission finds that the responses to the aforementioned Environmental Intervenors' Initial Request are sufficiently voluminous to allow KU and LG&E to substitute electronic copies for the paper copies to be filed with the Commission and served on the parties.

IT IS THEREFORE ORDERED that the motions to deviate from the filing requirements of the June 28, 2011 Order are granted, and KU and LG&E may substitute electronic copies of their respective responses to the Environmental Intervenors' Initial Request Nos. 3, 4, 10, 11, 17, and 26.

By the Commission

**ENTERED** 

7

SEP 16 2011

KENTUCKY PUBLIC SERVICE COMMISSION

Executive Director

Case No. 2011-00161 Case No. 2011-00162 Lonnie Bellar Vice President, State Regulation & Rates LG&E and KU Services Company 220 West Main Street Louisville, KENTUCKY 40202 Honorable Michael L Kurtz Attorney at Law 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 Kendrick R Riggs Attorney at Law Stoll Keenon Ogden, PLLC 2000 PNC Plaza 500 W Jefferson Street Louisville, KENTUCKY 40202-2828

Robert M Conroy Director, Rates Louisville Gas and Electric Company 220 W. Main Street P. O. Box 32010 Louisville, KY 40202 Allyson K Sturgeon Senior Corporate Attorney LG&E and KU Services Company 220 West Main Street Louisville, KENTUCKY 40202

Thomas J FitzGerald Counsel & Director Kentucky Resources Council, Inc. Post Office Box 1070 Frankfort, KENTUCKY 40602 Edward George Zuger, III Zuger Law Office PLLC P.O. Box 728 Corbin, KENTUCKY 40702

Robert A Ganton, Esq Regulatory Law Office - U.S. Army Leg 901 North Stuart Street, Suite 525 Arlington, VIRGINIA 22203

Esq Scott E Handley Administrative Law Division - Office 50 Third Avenue, Room 215 Fort Knox, KENTUCKY 40121

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