

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)	CASE NO.
APPROVAL OF ITS 2016 COMPLIANCE PLAN)	2016-00026
FOR RECOVERY BY ENVIRONMENTAL)	
SURCHARGE)	

ORDER

On January 29, 2016, Kentucky Utilities Company (“KU”) tendered for filing an application requesting Certificates of Public Convenience and Necessity (“CPCN”) to construct Phase II of the landfill at the E.W. Brown Generating Station (“Brown Station”), and to conduct surface-impoundment-related construction necessary to comply with the U.S. Environmental Protection Agency’s Disposal of Coal Combustion Residuals from Electric Utilities final rule (“CCR Rule”). KU’s application also requests a CPCN to construct new water-processing systems at the Ghent Generating Station, the Trimble County Generating Station, and the Brown Station. KU’s application also petitioned the Commission to declare that surface impoundment closures at the Green River Generating Station, Pineville Generating Station, and Tyrone Generating Station do not require a CPCN pursuant to KRS 278.020(1); in the alternative, KU has requested a CPCN for each generating station for which the Commission determines a CPCN is required. In addition, KU requested Commission approval for an amended compliance plan for the purpose of recovering the costs of new pollution control facilities through KU’s Environmental Cost Recovery Surcharge tariff.

KU asserts that the projects included in its application are required for compliance with the federal Clean Air Act as amended, the CCR Rule, the Mercury and Air Toxics Standards Rule, and other environmental requirements that apply to KU facilities used in the production of energy from coal. KU's application was initially deemed to be deficient, but the filing deficiency was cured, and its application was accepted for filing on February 9, 2016.

Having reviewed KU's application, the Commission finds that an investigation will be necessary to determine the reasonableness of the request.

IT IS THEREFORE ORDERED that:

1. The procedural schedule set forth in the Appendix to this Order shall be followed.

2. a. Responses to requests for information in paper medium shall be appropriately bound, tabbed and indexed and shall include the name of the witness responsible for responding to the questions related to the information provided, with an original in paper medium and an electronic version to the Commission.

b. Each response shall be answered under oath, or for representatives of a public or private corporation or a partnership or an association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

c. Any party shall make timely amendment to any prior response if it obtains information which indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect.

d. For any request to which a party fails or refuses to furnish all or part of the requested information, that party shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

e. A party filing a paper containing personal information shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read.

3. Any party filing testimony shall comply with the electronic filing procedures set forth in 807 KAR 5:001, Section 8, and shall file with the Commission an original in paper and an electronic version. The copy in paper medium shall be appropriately bound, tabbed and indexed.

4. KU shall give notice of the hearing in accordance with the provisions set out in 807 KAR 5:001, Section 9(2)(b). In addition, the notice of hearing shall include the following statement: "This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov." At the time 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 5:001, Section 9(9), the official record of the proceeding shall be by video only.

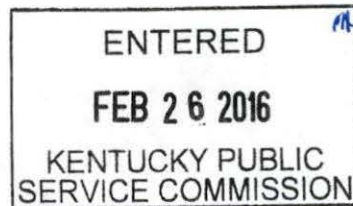
6. A person who submits a motion to intervene after March 4, 2016, and upon a showing of good cause is granted leave to intervene, shall accept and abide by the existing procedural schedule.

7. At any public hearing in this matter, neither opening statements nor summarization of direct testimonies shall be permitted.

8. Motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause.

9. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

By the Commission



ATTEST:

Carson D. Greenwell
Acting Executive Director *for*

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2016-00026 DATED **FEB 26 2016**

Requests for intervention shall be filed by03/04/16

All initial requests for information to KU shall
be filed no later than03/11/16

KU shall file responses to initial requests for
information no later than03/25/16

All supplemental requests for information to KU shall be filed
no later than.....04/08/16

KU shall file responses to supplemental requests
for information no later than04/20/16

Intervenor testimony, if any, in verified prepared form, shall
be filed no later than05/04/16

All requests for information to intervenors shall be filed no
later than.....05/18/16

Intervenors shall file responses to requests for information
no later than.....06/01/16

KU shall file rebuttal testimony, if any, no later
than.....06/08/16

Last day for KU to publish notice of hearing To be scheduled

Public Hearing to be held in Hearing Room 1
of the Commission's Offices at 211 Sower Boulevard,
Frankfort, Kentucky, for the purpose of cross-examination
of witnesses of KU and intervenors To be scheduled

*Honorable Allyson K Sturgeon
Senior Corporate Attorney
LG&E and KU Energy LLC
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

*Derek Rahn
LG&E and KU Energy LLC
220 West Main Street
Louisville, KENTUCKY 40202

*Monica Braun
STOLL KEENON OGDEN PLLC
300 West Vine Street
Suite 2100
Lexington, KENTUCKY 40507-1801

*Honorable W. Duncan Crosby III
Attorney at Law
Stoll Keenon Ogden, PLLC
2000 PNC Plaza
500 W Jefferson Street
Louisville, KENTUCKY 40202-2828

*Robert Conroy
LG&E and KU Energy LLC
220 West Main Street
Louisville, KENTUCKY 40202

*Jody M Kyler Cohn
Boehm, Kurtz & Lowry
36 East Seventh Street
Suite 1510
Cincinnati, OHIO 45202

*Sara Veeneman
LG&E and KU Energy LLC
220 West Main Street
Louisville, KENTUCKY 40202

*Honorable Kurt J Boehm
Attorney at Law
Boehm, Kurtz & Lowry
36 East Seventh Street
Suite 1510
Cincinnati, OHIO 45202

*Kentucky Utilities Company
220 W. Main Street
P. O. Box 32010
Louisville, KY 40232-2010

*Honorable Kendrick R Riggs
Attorney at Law
Stoll Keenon Ogden, PLLC
2000 PNC Plaza
500 W Jefferson Street
Louisville, KENTUCKY 40202-2828

*Honorable Lindsey W Ingram, III
Attorney at Law
STOLL KEENON OGDEN PLLC
300 West Vine Street
Suite 2100
Lexington, KENTUCKY 40507-1801