

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

BERNHEIM ARBORETUM AND RESEARCH FOREST)	
)	
COMPLAINANT)	
)	
V.)	CASE NO.
)	2019-00274
)	
LOUISVILLE GAS AND ELECTRIC COMPANY)	
)	
DEFENDANT)	

ORDER

The matter is before the Commission upon two motions filed jointly by the Attorney General of the Commonwealth of Kentucky, by and through the Office of Rate Intervention (Attorney General). One motion requests intervention; the other motion requests the Commission to expand the scope of the complaint to include an investigation of a number of issues related to Louisville Gas and Electric Company's (LG&E) natural gas pipeline project in Bullitt County. Specifically, the Attorney General requests to include issues related to LG&E's compliance with pipeline safety standards; a review of the necessary permits needed for the Bullitt County gas pipeline; a review of LG&E's internal processes to determine when a project would require formal Commission approval pursuant to KRS 278.020; and a review of the increase in the projected cost of the Bullitt County pipeline from \$27.6 million to \$38.7 million.

Regarding the Attorney General's motion to intervene, the Commission finds the Attorney General's request should be granted as such intervention is authorized by

statute under KRS 367.150(8). We note, however, that a determination has not been made on whether the complaint filed by Bernheim Arboretum and Research Forest has established a prima facie case and that an Order was recently issued establishing a briefing schedule on the issue of standing (Briefing Order). The Commission finds that the Attorney General should be allowed to participate in the briefing of the standing issue identified in the Briefing Order. The Attorney General's initial brief, if any, should be filed 20 days from the date of the Briefing Order, and a reply, if any, should be filed within seven days from the date LG&E's response brief is filed.

The Commission will hold in abeyance the Attorney General's motion to expand the scope of the complaint until a determination has been made as to whether the complaint has established a prima facie case. In the event the Commission determines that the complaint has established a prima facie case, a separate procedural Order will be issued to establish deadlines for the filing of response and reply related to the Attorney General's request to expand the scope of the complaint.

IT IS THEREFORE ORDERED that:

1. The motion of the Attorney General to intervene is granted.
2. The Attorney General shall be entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order.
3. The Attorney General shall comply with all provisions of the Commission's regulations, 807 KAR 5:001, Section 7, related to the service and electronic filing of documents.

4. An initial brief, if any, addressing the two issues identified in the Briefing Order shall be filed by the Attorney General within 20 days from the date of the Briefing Order.

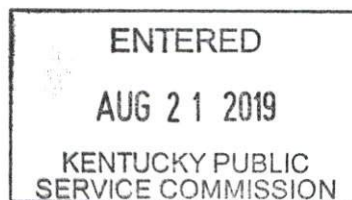
5. A reply brief, if any, shall be filed by the Attorney General within seven days of the filing date of LG&E's response brief.

6. Pursuant to 807 KAR 5:001, Section 8(9), within seven days of entry of this Order, the Attorney General shall file a written statement with the Commission that:

a. Certifies that it, or its agents, possesses the facilities to receive electronic transmissions; and

b. Sets forth the electronic mail address to which all electronic notices and messages related to this proceeding should be served.

By the Commission



ATTEST:


Executive Director

Case No. 2019-00274

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