

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF DUKE	)	
ENERGY KENTUCKY, INC. FOR A	)	
CERTIFICATE OF PUBLIC CONVENIENCE AND	)	
NECESSITY TO CONSTRUCT A 138 KV	)	CASE NO.
TRANSMISSION LINE AND ASSOCIATED	)	2019-00361
FACILITIES IN BOONE COUNTY, KENTUCKY	)	
(WOODSPOINT TO AERO TRANSMISSION LINE	)	
PROJECT)	)	

ORDER

On October 31, 2019, Duke Energy Kentucky, Inc. (Duke Kentucky), filed an application requesting a Certificate of Public Convenience and Necessity to construct a 138-kilovolt transmission line and associated transmission facilities in Boone County, Kentucky. KRS 278.020(8) requires the Commission to “issue its decision no later than ninety (90) days after the application is filed, unless the commission extends this period, for good cause, to one hundred twenty (120) days.” Due to the nature of the case and issues involved, the Commission finds that good cause exists in this matter to warrant such an extension. The Commission further finds that a procedural schedule should be established for the orderly processing of this matter.

IT IS THEREFORE ORDERED that:

1. The time in which the Commission must issue its decision in this case is extended to 120 days.
2. The procedural schedule set forth in the Appendix to this Order shall be followed in this proceeding.

3. a. Responses to requests for information in paper medium shall be appropriately bound, tabbed, and indexed. Responses that are required to be provided on electronic medium shall be in portable document format (PDF), shall be searchable and shall be appropriately bookmarked.

b. Each response shall include the name of the witness responsible for responding to the questions related to the information provided. 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. Careful attention should be given to copied material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request.

f. 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.

4. As set forth in 807 KAR 5:001, Section 4(11)(a), a person requesting permissive intervention in a Commission proceeding is required to demonstrate either (1) a special interest in the proceeding which is not adequately represented in the case, or (2) that the person requesting permissive intervention is likely to present issues or develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings. Further, KRS 278.040(2) requires that a person seeking intervention must have an interest in the rates or service of a utility, as those are the only matters that are subject to the Commission's jurisdiction. Therefore, any person requesting to intervene in a Commission proceeding must state with specificity the person's special interest that is not otherwise adequately represented, or the issues and facts that the person will present that will assist the Commission in fully considering the matter. A mere recitation of the quantity of utility service consumed by the movant or a general statement regarding a potential impact of possible modification of rates will not be deemed sufficient to establish a special interest. In addition, any motion to intervene filed after November 30, 2019, shall also show good cause for being untimely. If the untimely motion is granted, the movant shall accept and abide by the existing procedural schedule.

5. Duke Kentucky 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, Duke Kentucky shall forward a duplicate of the notice and request to the Commission.

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

7. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), the official record of the proceeding shall be by video only.

8. The Commission does not look favorably upon motions for continuance. Accordingly, 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:

  
Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2019-00361 DATED **NOV 08 2019**

- Requests for intervention shall be filed no later than ..... 12/02/19
- Any requests for a public hearing pursuant to KRS 278.020(9)  
and 807 KAR 5:120, Section 3, shall be filed no later than..... 12/02/19
- All initial requests for information upon Duke Kentucky shall  
be filed no later than ..... 12/09/19
- Duke Kentucky shall file responses to initial requests  
for information no later than..... 12/19/19
- All supplemental requests for information upon  
Duke Kentucky shall be filed no later than ..... 01/06/20
- Duke Kentucky shall file responses to supplemental requests  
for information no later than..... 01/16/20

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