

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF FARMERS)	
RURAL ELECTRIC COOPERATIVE)	
CORPORATION FOR A GENERAL)	CASE NO.
ADJUSTMENT OF RATES PURSUANT TO)	2023-00158
STREAMLINED PROCEDURE PILOT PROGRAM)	
ESTABLISHED IN CASE NO. 2018-00407)	

ORDER

On June 16, 2023, Farmers Rural Electric Cooperative Corporation (Farmers RECC), pursuant to the amended streamlined procedure established in Case No. 2018-00407,¹ tendered an application seeking a general adjustment in its rates. On June 30, 2023, the Commission issued an Order finding the application deficient in two areas. On July 3, 2023, Farmers RECC filed supplemental information attempting to correct the deficiencies. On July 18, 2023, the Commission issued an Order finding the application deficient in one area. Farmers RECC filed a response curing the remaining deficiency on July 20, 2023.

Under the procedure established in Case No. 2018-00407,² the Commission finds that the application meets the standards for the streamlined procedure and should be accepted for filing and processed according to the procedure established in Case No. 2018-00407. Accordingly, Farmers RECC should be granted deviation from the filing

¹ Case No. 2018-00407, *A Review of the Rate Case Procedure for Electric Distribution Cooperatives* (Ky. PSC Dec. 20, 2019).

² Case No. 2018-00407, Dec. 20, 2019 Order, Appendices A and B.

requirements of 807 KAR 5:001, Section 12(1)(a), and 807 KAR 5:001, Sections 16(1)(b)(2), (4)(j)–(s), 4(v), and 5(b)–(d).

As required by the streamlined procedure set forth in Appendix A of the Commission’s December 20, 2019 Order in Case No. 2018-00407,³ the Commission finds that Farmers RECC’s Annual Reports for 2021⁴ and 2022⁵ should be incorporated by reference into the record of this proceeding.

Farmers RECC has proposed that its rates go into effect on July 16, 2023. Under the procedure outlined in Case No. 2018-00407, the Commission is to issue a final Order addressing the application no later than 75 days after Farmers RECC filed its application. Pursuant to KRS 278.180(1), no change in utility rates is permitted except upon 30 days’ notice to the Commission. Therefore, since the application was accepted for filing as of July 20, 2023, the earliest date that Farmers RECC’s proposed rates can be effective is August 19, 2023. Having reviewed Farmers RECC’s application, the Commission finds that an investigation will be necessary to determine the reasonableness of the proposed rates and that an investigation cannot be completed by August 19, 2023. Pursuant to KRS 278.190(2), the Commission will, therefore, suspend the effective date of the proposed rates for five months, up to and including January 19, 2024.

³ Case No. 2018-00407. Dec 20, 2019 Order, Appendix A at 2, subpart B.4.

⁴ *Annual Report of Farmers RECC to the Public Service Commission for the Calendar Year Ended Dec. 31, 2021* (2021 Annual Report).

⁵ *Annual Report of Farmers RECC to the Public Service Commission for the Calendar Year Ended Dec. 31, 2022* (2022 Annual Report).

The Commission also finds that a procedural schedule should be established for the orderly processing of this case. A procedural schedule is set forth in the Appendix to this Order.

IT IS THEREFORE ORDERED that:

1. Farmers RECC's application for a general adjustment of its rates using the streamlined procedure established in Case No. 2018-00407 is accepted for filing as of July 20, 2023.

2. Farmers RECC's rates are suspended for five months, from August 19, 2023, until January 19, 2024.

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

4. Farmers RECC is granted a deviation from the requirements of 807 KAR 5:001, Section 12(1)(a), and 807 KAR 5:001, Sections 16(1)(b)(2), (4)(j)–(s), 4(v), and 5(b)–(d).

5. Farmers RECC's 2021 and 2022 Annual Reports are incorporated by reference into the record of this proceeding.

6. Farmers RECC shall respond to all requests for information propounded by Commission Staff, whether identified on the procedural schedule or otherwise, as provided in those requests.

7. Any party filing a paper with the Commission shall file an electronic copy in accordance with the electronic filing procedures set forth in 807 KAR 5:001, Section 8. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked. The Commission directs the parties to the

Commission's July 22, 2021 Order in Case No. 2020-00085⁶ regarding filings with the Commission.


8. 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 that 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. 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.

9. Any motion to intervene filed after the date established in the procedural schedule attached as an Appendix to this Order 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.

⁶ Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC July 22, 2021), Order (in which the Commission ordered that for case filings made on and after March 16, 2020, filers are NOT required to file the original physical copies of the filings required by 807 KAR 5:001, Section 8).

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner



ATTEST:


Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2023-00158 DATED AUG 03 2023

Last day for intervention requests to be accepted..... 08/11/2023

All requests for information to Farmers RECC
shall be filed no later than 08/24/2023

Farmers RECC shall file responses to requests
for information no later than 09/07/2023

Any written comments regarding Farmers RECC's application
shall be filed no later than 09/14/2023

This case shall be submitted for a decision on..... 09/15/2023

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