

On July 17, 2013, the Commission entered an Order stating that Owen shall comply with the notice requirements set forth in 807 KAR 5:011, Section 8, concerning its proposed initiation of a \$30.00 monthly meter reading fee in Case No. 2012-00468 for those customers who refuse the installation of an AMI meter. Also on July 17, 2013, the Commission entered an Order in Case No. 2012-00428, Consideration of the Implementation of Smart Grid and Smart Meter Technologies, authorizing the Collaborative established in that proceeding to address topics set forth in the Joint Comments, as amended. One of the topics to be addressed by the Collaborative is opt-out provisions, which is an integral issue in Case No. 2012-00468. On July 18, 2013, the parties and Commission Staff held a telephonic informal conference and discussed the possibility of holding Case No. 2012-00468 in abeyance pending the Collaborative's review and the Commission's possible action regarding opt-out provisions as part of Case No. 2012-00428. On July 19, 2013, the Commission entered an Order scheduling a hearing on August 7, 2013 for consolidated Case No. 2012-00448 and 2012-00468.

On July 22, 2013, Owen filed a motion requesting to withdraw its Application in Case No. 2012-00468, without prejudice, until a resolution of opt-out is decided either in Case No. 2012-00428 relating to smart-grid, or through another proceeding before the Commission. Owen's motion includes a request that it retain the right to submit a future Application, the subject of which is contained in Case No. 2012-00468, and that any such future filing incorporate, by reference, all testimony and discovery that is a part of Case No. 2012-00468. Owen also requests that its motion be addressed in an expedited Order.

Based on a review of the record and being otherwise sufficiently advised, the Commission finds that Owen should be permitted to voluntarily withdraw its application in Case No. 2012-00468, without prejudice, and should be authorized to submit a future application addressing the opt-out issues that are the subject matter of Case No. 2012-00468. The Commission also finds that if Owen submits a future application addressing the opt-out issue, Case No. 2012-00468 should be incorporated therein as well as any related responses to discovery submitted in the consolidated Case No. 2012-00448 and Case No. 2012-00468. The Commission further finds that the hearing set for August 7, 2013 should proceed as scheduled, but only as to those matters contained in Case No. 2012-00448 for a general adjustment of rates.

IT IS HEREBY ORDERED that:

1. Owen's motion to withdraw its Application in Case No. 2012-00468 is granted.
2. Case No. 2012-00468 is dismissed without prejudice.
3. Owen shall have the option to submit a future application for Revision to its Meter Reading Tariff similar to that contained in Case No. 2012-00468 and the entire case file for Case No. 2012-00468, as well as any responses submitted by Owen in Case No. 2012-00448 that relate to this tariff, shall be incorporated by reference.
4. The hearing set for August 7, 2013 shall proceed as scheduled in Case No. 2012-00448.

By the Commission

ENTERED 7
AUG 02 2013
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:

Carol D. Greenwell
Executive Director *js*

Case No. 2012-00448
Case No. 2012-00468

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