

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

TARIFF FILING OF FLEMING-MASON ENERGY) CASE NO.
COOPERATIVE, INC. TO AMEND ITS SERVICE) 2013-00142
CHARGE)

ORDER

On July 29, 2013, Fleming-Mason Energy Cooperative, Inc. ("Fleming-Mason") filed a request for an informal conference and a motion for a 60-day extension of time to comply with the Commission's July 19, 2013 Order ("Publication Order"). In support of its motion, Fleming-Mason states that it requests an informal conference to clarify the Order and that it requires additional lead time to publish the notice in the monthly newsletter mailed to all of its customers.

On April 25, 2013, the Commission issued an Order in this matter which suspended Fleming-Mason's proposed changes to its tariffs from May 1, 2013 up to and including September 30, 2013. If Fleming-Mason's motion for a 60-day extension of time to comply with the Commission's publication Order is granted, the 30-day time frame within which any corporation, association, body politic or person may request leave to intervene pursuant to 807 KAR 5:011, Section 8 (3)(e), may be past the September 30, 2013 suspension date.

KRS 278.190(2) provides in part that:

If the proceeding has not been concluded and an order made at the expiration of five (5) months, or six (6) months, as appropriate, the utility may place the proposed change of rate, charge, classification, or service in effect at the end of that period after notifying the commission, in writing, of its

intention so do to. When increased rates or charges are thus made effective, the commission may, by order, require the interested utility or utilities to maintain their records in a manner as will enable them, or the commission, or any of its customers, to determine the amounts to be refunded and to whom due in the event a refund is ordered, and upon completion of the hearing and decision may, by further order, require such utility or utilities to refund to the persons in whose behalf the amounts were paid that portion of the increased rates or charges as by its decision shall be found unreasonable.

Based on a review of the record, Fleming-Mason's motion, and being otherwise sufficiently advised, the Commission finds that Fleming-Mason's request for an informal conference should be granted and that Commission staff should schedule an informal conference at which any party may appear telephonically if it so desires. The Commission further finds that Fleming-Mason's request for a 60-day extension to publish notice pursuant to 807 KAR 5:011, Section 8(2), and 807 KAR 5:011, Section 8(3), of its proposed rate changes should be granted. In the event that the Commission has not issued a decision on the merits of Fleming-Mason's request by September 30, 2013, Fleming-Mason may notify the Commission of its intent to put its proposed rates into effect thereafter subject to refund, pursuant to KRS 278.190(2). The Commission further finds that Fleming-Mason should have until September 9, 2013 in which to file a copy of the notice that it published and indicate whether that publication is by newspaper or trade publication.

IT IS HEREBY ORDERED that:

1. Fleming-Mason's request for an informal conference is granted.

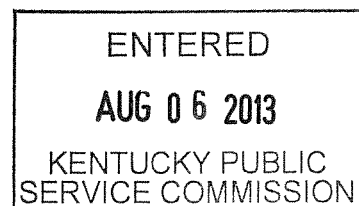
2. An informal conference is hereby scheduled for Thursday, August 22, 2013, at 2:00 p.m. Eastern Daylight Time, at the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky. Any party may appear telephonically if it so desires.

3. Fleming-Mason's motion for a 60-day extension of time to comply with the Commission's July 19, 2013 Publication Order is granted.

4. Fleming-Mason shall file with the Commission by September 9, 2013, a copy of the public notice and indicate the manner of publication, whether by newspaper or trade publication.

5. Fleming-Mason shall provide proof of publication pursuant to 807 KAR 5:011, Section 8(4).

By the Commission



ATTEST:


Executive Director

Case No. 2013-00142

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