COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF DUKE ENERGY KENTUCKY INC.)
FOR AN ADJUSTMENT TO RIDER ASRP RATES AND) CASE NO.
FOR TARIFF APPROVAL	2016-00228

ORDER

On September 12, 2016, the Attorney General of the Commonwealth of Kentucky, by and through his Office of Rate Intervention ("Attorney General"), filed a motion requesting full intervention in this case, which involves a request by Duke Energy Kentucky ("Duke Kentucky") to adjust its accelerated service line replacement program ("ASRP") cost recover mechanism, Rider ASRP, and for tariff approval. Duke Kentucky tendered for filing its application on July 1, 2016, pursuant to the filing procedures set forth in 807 KAR 5:076. One of the requirements in that regulation is that the applicant must serve a copy of its application on the Attorney General. Duke Kentucky's application indicates that the required copy was served via overnight mail on the Attorney General on June 30, 2016.

Duke Kentucky's application was accepted for filing on July 1, 2016, and the Commission entered an Order on July 22, 2016, establishing a procedural schedule for processing this case. That Order provided, among other things, that a motion to intervene "shall be filed no later than July 27, 2016," and that any person filing such a

¹ 807 KAR 5:076, Section 4(2)(b).

² Application at 3.

motion after that date and "upon a showing of good cause is granted full intervention" will be required to accept the established procedural schedule.³

Based on a review of the Attorney General's motion to intervene, and being otherwise sufficiently advised, the Commission finds that the motion was not filed by the July 27, 2016 due date established in our procedural Order, and the motion contains no explanation to support a Commission finding of good cause to grant a late filed motion to intervene. For this reason, the Commission will hold the Attorney General's motion to intervene in abeyance for ten days to allow the Attorney General an opportunity to supplement his motion to show good cause.

IT IS THEREFORE ORDERED that the Attorney General's motion to intervene is held in abeyance for ten days from the date of this Order to afford the Attorney General an opportunity to file a supplemental motion setting forth good cause for filing his motion to intervene after the due date established by the Commission's July 22, 2016 Order.

By the Commission

ENTERED

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KENTUCKY PUBLIC SERVICE COMMISSION

ATTEST:

Executive Director

³ Order (Ky. PSC July 22, 2016) at 3.

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