

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

FILING OF OWEN ELECTRIC COOPERATIVE, INC. )  
TO IMPLEMENT AN ADVANCED METERING ) CASE NO.  
SYSTEM (AMS) OPT-OUT TARIFF ) 2018-00354

ORDER

On October 1, 2018, Owen Electric Cooperative, Inc. (Owen Electric), filed a proposed tariff, through the Commission's Electronic Tariff Filing System, to implement an AMS Opt-Out Tariff. Under the proposed tariff, members could request that Owen Electric replace their communicating meter with a non-communicating meter. If a customer is accepted into the Opt-Out Tariff, they would be assessed an initial set-up fee of \$30 and a recurring monthly fee of \$30. Owen Electric proposed an effective date of November 1, 2018.

In Case No. 2012-00468,<sup>1</sup> Owen Electric proposed revisions to its meter reading tariff that would have allowed it to charge manual meter reading fees in instances where its Advanced Metering Infrastructure was prohibited from being utilized. That filing was later merged into Case No. 2012-00448.<sup>2</sup> On August 2, 2013, at Owen Electric's request, the Commission issued an Order withdrawing the application filed in Case No. 2012-

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<sup>1</sup> Case No. 2012-00468, *Application of Owen Electric Cooperative Corporation for Revisions to its Meter Reading Tariff to Accommodate Manual Meter Reading Charges in Instances Where its Advanced Metering Infrastructure is Prohibited from Being Utilized for its Intended Purpose.*

<sup>2</sup> Case No. 2012-00448, *Application of Owen Electric Cooperative, Inc. for an Adjustment of Rates.*

00468. Ordering paragraph 3 of that Order stated “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.”

Having considered the proposed Opt-Out Tariff and being otherwise sufficiently advised, the Commission finds that further proceedings are necessary to determine the reasonableness of the Opt-Out Tariff, that these proceedings cannot be completed prior to November 1, 2018, and that the Opt-Out Tariff should be suspended pursuant to KRS 278.190(2). The Commission also finds that the entire case file for Case No. 2012-00468, as well as any responses submitted by Owen Electric in Case No. 2012-00448 that relate to the meter reading tariff should be incorporated by reference.

IT IS THEREFORE ORDERED that:

1. Owen Electric’s proposed Opt-Out Tariff is suspended for five months, from November 1, 2018, to April 30, 2019.
2. The entire case file for Case No. 2012-00468, as well as any responses submitted by Owen Electric in Case No. 2012-00448 that relate to the meter reading tariff, are incorporated into this case by reference.
3. The procedural schedule set forth in the Appendix to this Order shall be followed.
4. a. Responses to requests for information shall be appropriately bound, tabbed, and indexed and shall include the name of the witness responsible for responding

to the questions related to the information provided, with copies to all parties of record, and the original and ten copies to the Commission.

b. 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. A 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. Any 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 the personal information cannot be read.

5. 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 12, 2018, 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. Owen Electric shall give notice of the hearing in accordance with the provisions set forth in 807 KAR 5:001, Section 9(2). 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](http://psc.ky.gov)." At the time publication is requested, Owen Electric shall forward a duplicate of the notice and request to the Commission.

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

8. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), a digital video recording shall be made of the hearing.

9. 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.


10. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

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By the Commission

ENTERED  
OCT 26 2018  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:

  
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Executive Director

Case No. 2018-00354

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2018-00354 DATED **OCT 26 2018**

Requests for intervention shall be filed no later than ..... 11/13/18

Initial requests for information to Owen Electric  
shall be filed no later than..... 11/20/18

Owen Electric shall file responses to  
initial requests for information no later than..... 12/06/18

Supplemental requests for information to  
Owen Electric shall be filed no later than..... 12/20/18

Owen Electric shall file responses to  
supplemental requests for information no later than.....01/08/19

Intervenor Testimony, if any, in verified prepared  
form shall be filed no later than.... 01/22/19

All requests for information to Intervenors shall  
be filed no later than.....02/05/19

Intervenors shall file responses to requests for  
information no later than.....02/19/19

Owen Electric shall file, in verified form, its rebuttal  
testimony no later than.....03/05/19

Owen Electric or any Intervenor shall request either a hearing or that  
the case be submitted for decision based on the record no later than.....03/12/19

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