

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

KENTUCKY INDUSTRIAL UTILITY	)	
CUSTOMERS, INC.	)	
	)	
COMPLAINANT	)	
	)	
V.	)	CASE NO.
	)	2018-00036
	)	
DUKE ENERGY KENTUCKY, INC.	)	
	)	
DEFENDANT	)	

ORDER

On March 13, 2018, the Attorney General filed a motion for leave to file comments on the Non-Unanimous Stipulation and Settlement Agreement (“Stipulation”) that was entered into by Duke Energy Kentucky, Inc. (“Duke Kentucky”) and Kentucky Industrial Utility Customers, Inc. (“KIUC”) and filed on March 2, 2018. The Attorney General’s motion proposed that the other parties have 14 days to file response comments and that this case then be submitted for a decision on the existing evidence of record. On March 28, 2018, Commission Staff issued notice of a telephonic informal conference (“IC”) to be held that day for the parties to discuss procedural dates for filing responses to the Attorney General’s comments.<sup>1</sup> Based on the summary of the discussion as set forth in the IC Memo, the Commission finds that a procedural schedule should be established to allow the parties to first conduct discovery on the Stipulation and then to file further comments.

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<sup>1</sup> Informal Conference Memo filed April 2, 2018.

IT IS THEREFORE ORDERED that:

1. The Attorney General's motion to file comments is granted and the tendered comments are accepted for filing.

2. Initial requests for information to Duke Kentucky shall be filed on or before April 10, 2018.

3. Duke Kentucky shall file responses to initial requests for information on or before April 19, 2018.

4. (a) Responses to requests for information in paper medium shall be appropriately bound, tabbed, and indexed and shall include the name of the witness responsible for responding to questions related to the information provided, with the original in paper medium 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) Any 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. A request for a hearing by any party shall be filed on or before April 26, 2018. If a request for a hearing is filed, the Commission will establish a procedural schedule for the hearing at or about the time that the request for hearing is granted.

6. If no hearing is requested, comments, if any, by any party shall be filed on or before May 4, 2018.

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, and shall also file an original in paper medium. The original in paper medium shall be appropriately bound, tabbed and indexed.

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

By the Commission



ATTEST:

  
Executive Director

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