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JUL 13 2018

PUBLIC SERVICE  
COMMISSION

**VIA OVERNIGHT MAIL**

July 12, 2018

Gwen R. Pinson, Executive Director  
Kentucky Public Service Commission  
211 Sower Boulevard  
Frankfort, Kentucky 40602

***Re: Case Nos. 2018-00146***

Dear Ms. Pinson:

Please find enclosed the original and ten (10) copies of PETITION FOR CLARIFICATION OF KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC. for filing in the above-referenced matter.

By copy of this letter, all parties listed on the Certificate of Service have been served. Please place this document of file.

Very Truly Yours,



Michael L. Kurtz, Esq.

Kurt J. Boehm, Esq.

Jody Kyler Cohn, Esq.

**BOEHM, KURTZ & LOWRY**

MLKkew  
Attachment

cc: Certificate of Service

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COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

JUL 13 2018

PUBLIC SERVICE  
COMMISSION

In the Matter of: Notice of Termination of Contracts and Application :  
of Big Rivers Electric Corporation for a Declaratory Order and for : **Case No 2018-00146**  
Authority to Establish a Regulatory Asset. :

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PETITION FOR CLARIFICATION  
OF KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC.

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Kentucky Industrial Utility Customers, Inc. (“KIUC”) hereby petitions for clarification of the Commission’s July 11, 2018 Order in this proceeding. In that Order, the Commission: 1) held KIUC’s Motion To Compel Discovery Responses, To Stay Procedural Schedule, And To Schedule An Informal Conference (“Motion”) in abeyance; 2) ordered that KIUC and Big Rivers file briefs in support of their respective positions on or before July 20, 2018; and 3) scheduled a hearing for receiving oral arguments on the pending motion on July 25, 2018.

KIUC takes no issue with the Commission’s chosen approach to resolving the issues raised in its Motion. However, KIUC does request clarification from the Commission as to whether the upcoming July 16, 2018 deadline for Supplemental Requests for Information will also be held in abeyance until those discovery-related issues are resolved by the Commission.

Supplemental data requests generally provide an opportunity for parties to follow-up on the utility’s responses to their initial data requests. But in this case, Big Rivers has not yet provided KIUC with complete responses to its First Set of Data Requests and has prevented KIUC from obtaining any confidential information. Without that missing information, KIUC will be unable to produce a comprehensive set of Supplemental Requests for Information to Big Rivers on July 16, 2018. KIUC will only be able to produce a set of Supplemental Requests for Information based upon the limited information it has thus far. Hence, under the current procedural schedule, KIUC may have no opportunity to follow-up on any additional information produced by Big Rivers as a result of the Commission’s rulings on KIUC’s Motion.

In order to prevent undue prejudice to KIUC resulting from this unexpected delay in obtaining complete data responses from Big Rivers, KIUC asks the Commission to clarify that the current deadline for Supplemental Requests for Information will be held in abeyance in concert with KIUC's Motion. Alternatively, KIUC requests clarification that KIUC will have an additional opportunity to submit Supplemental Requests for Information on any information provided to KIUC by Big Rivers as a result of the Commission's rulings on KIUC's Motion after those rulings are issued.

Respectfully submitted,



Michael L. Kurtz, Esq.

Kurt J. Boehm, Esq.

Jody Kyler Cohn, Esq.

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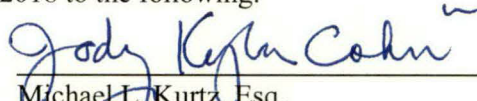
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**COUNSEL FOR KENTUCKY INDUSTRIAL  
UTILITY CUSTOMERS, INC.**

July 12, 2018

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served by electronic mail (when available) or by regular, U.S. mail, unless otherwise noted, this 12<sup>th</sup> day of July, 2018 to the following:



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