

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC ALLEGED FAILURE OF CLARK)	CASE NO.
ENERGY COOPERATIVE, INC. TO COMPLY)	2023-00005
WITH KRS 278.160(2))	

COMMISSION STAFF'S FIRST REHEARING REQUEST FOR INFORMATION
TO CLARK ENERGY COOPERATIVE, INC.

Clark Energy Cooperative, Inc. (Clark Energy), pursuant to 807 KAR 5:001, shall file with the Commission an electronic version of the following information. The information requested is due on November 6, 2023. The Commission directs Clark Energy to the Commission's July 22, 2021 Order in Case No. 2020-00085¹ regarding filings with the Commission. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked.

Each response shall include the question to which the response is made and shall include the name of the witness responsible for responding to the questions related to the information provided. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or the person supervising the preparation of the response on behalf of the entity that the

¹ Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC July 22, 2021), Order (in which the Commission ordered that for case filings made on and after March 16, 2020, filers are NOT required to file the original physical copies of the filings required by 807 KAR 5:001, Section 8).

response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

Clark Energy shall make timely amendment to any prior response if Clark Energy obtains information that indicates the response was incorrect or incomplete when made or, though correct or complete when made, is now incorrect or incomplete in any material respect.

For any request to which Clark Energy fails or refuses to furnish all or part of the requested information, Clark Energy shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

Careful attention shall be given to copied and scanned 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. When applicable, the requested information shall be separately provided for total company operations and jurisdictional operations. When filing a paper containing personal information, Clark Energy shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read.

1. Refer to Clark Energy's Motion for Rehearing, Reconsideration, and Clarification, page 4, which states "[i]f Clark Energy has a member that disconnects service and has a credit balance on the account, due to LIHEAP funds, Clark Energy does not refund the amount of the credit balance to the member but instead refunds that amount to the LIHEAP administrator the funds were received from."

a. In this scenario, explain how Clark Energy determines the appropriate refund amount, including when:

(1) The balance consists of both direct customer payments and LIHEAP funds;

(2) The customer has made payment directly more recently than by using LIHEAP funds.

b. Explain whether Clark Energy is aware of any statutes, regulations, or other rules that dictate how refunds should be handled when LIHEAP funds have been used to pay a balance.

c. Explain why Clark Energy cannot process refunds in the same way as described in its response to Request 1(a) above.

2. Refer to Clark Energy's Motion for Rehearing, Reconsideration, and Clarification, page 3, regarding the allegation that a customer's account was already credited.

a. Explain the reason for the transfer and transfer back to the original account.

b. Provide any documentation regarding these transfers, including any communications or notes from communications with either customer.

3. Refer to Clark Energy's Motion for Rehearing, Reconsideration, and Clarification, page 3, regarding the allegation that a customer was a joint account holder on a delinquent account and Clark Energy's current tariff, Sheet No. 7.

a. Provide a copy of any application or contract signed by any joint account holder Clark Energy alleges should not receive a refund or credit due to an unpaid balance.

b. State why the joint account holder(s) referenced in Clark Energy's response to request 3(a) above was made a joint account holder and why the transfer to his or her account was made before he or she became a joint account holder.



Linda C. Bridwell, PE
Executive Director
Public Service Commission
P.O. Box 615
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DATED OCT 13 2023

cc: Parties of Record

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