

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF KENTUCKY)	
UTILITIES COMPANY AND LOUISVILLE GAS)	CASE NO.
AND ELECTRIC COMPANY FOR CERTIFICATES)	2025-00045
OF PUBLIC CONVENIENCE AND NECESSITY)	
AND SITE COMPATIBILITY CERTIFICATES)	

ORDER

On February 28, 2025, Louisville Gas and Electric Company (LG&E) and Kentucky Utilities Company (KU) (jointly, LG&E/KU) filed their joint application seeking Certificates of Convenience and Necessity (CPCN) for a number of projects. Accompanying the application, LG&E/KU filed a motion to deviate, pursuant to 807 KAR 5:001, Section 22, seeking approval to present the Commission with a thumb drive containing two files, titled: Exhibit SAW-2 and Exhibit TAJ-2, because those nested files exceeded the 50MB e-filing system limit. For the reasons stated below, the Commission grants LG&E/KU's motion to deviate.

LEGAL STANDARD

Pursuant to 807 KAR 5:001, Section 22, the Commission may, at its discretion, allow deviation from the filing requirements in 807 KAR 5:001 upon a showing of good cause. Commission regulation 807 KAR 5:001, Section 8 and Case No. 2020-000851¹ require parties to cases such as this proceeding to electronically upload all filings to the

¹ Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus Covid-19* (Ky. PSC July 22, 2021), Order.

Commission's electronic filing system. In Case No. 2022-00311,² the Commission authorized deviations from certain electronic file format and size regulations pending the amendment of the relevant regulations. The Commission established standards that accepted for electronic filing zip files for certain file formats greater than 50 MB that cannot be submitted in multiple uploading sessions. In that case, the Commission encouraged filers to contact the Commission's Filings Branch Staff for assistance before tendering a motion to deviate from filing format and size requirements. In Case No. 2024-00326, the Commission granted LG&E/KU permission to deviate in a nearly identical circumstance.³

LG&E/KU'S MOTION TO DEVIATE

LG&E/KU's motion to deviate includes two zipped files which exceed the 50 MB filing limit of the Commission's E-Filing System (collectively, large files), the files are titled: Exhibit SAW-2 and Exhibit TAJ-2. LG&E/KU stated that these zipped files are themselves a collection of smaller files in specific folder structures that are vital to their usefulness and comprehensibility.⁴ LG&E/KU stated that they contacted Commission Staff in the Filings Branch for assistance and were advised to provide the large files to the Commission using a thumb drive.⁵ LG&E/KU has provided the Commission with a thumb drive containing the relevant files.

Additionally, LG&E/KU stated that they would "also provide copies of the Large Files on its counsel's file sharing workspace that is used to provide access to confidential

² Case No. 2022-00311, *Electronic Review of Electronic Filing Procedures in 807 KAR 5:001, Section 8(2), (4), and (6)* (Ky. PSC Oct. 6, 2022), Order.

³ Case No. 2024-00326, *Electronic 2024 Joint Integrated Resource Plan of Louisville Gas and Electric Company and Kentucky Utilities Company* (Ky. PSC Dec. 4, 2024), Order.

⁴ Motion to Deviate (filed Feb. 28, 2025) at 2.

⁵ Motion to Deviate at 2.

information.”⁶ Finally, LG&E/KU stated that granting the motion to deviate would not prevent the Commission from maintaining physical control of the case filings.

DISCUSSION AND FINDINGS

Based upon a review of the motion, and being otherwise sufficiently advised, the Commission finds that LG&E/KU has established good cause to deviate from the filing requirements housed in 807 KAR 5:001, Section 8. By providing the Commission with a thumb drive, the Commission is able to maintain its records in accordance with KRS 278.100. Additionally, LG&E/KU is instructed to provide identical thumb drives to all parties granted intervention in this case, if requested by the parties.

However, the Commission cautions LG&E/KU, and all other parties, that this remedy may not be appropriate in future case filings. Therefore, the best practice remains for LG&E/KU and other parties to contact the Commission Filings Branch for assistance with electronic filing issues as noted in Case Nos. 2022-00311⁷ and 2024-00326.⁸

IT IS THEREFORE ORDERED that:

1. LG&E/KU’s Motion to Deviate from 807 KAR 5:001, Section 8 is granted.
2. LG&E/KU is instructed to provide a copy of the subject materials to all parties to this matter on a physical thumb drive, if requested, and maintain electronic access of the same as set forth in this Order during the pendency of this matter.

⁶ Motion to Deviate at 2.

⁷ Case No. 2022-00311, (Ky. PSC Oct. 6, 2022) Order.

⁸ Case No. 2024-00326 (Ky. PSC Dec. 4, 2024), Order.

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