

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF BIG RIVERS ELECTRIC)	
CORPORATION FOR APPROVAL OF ITS 2012)	
ENVIRONMENTAL COMPLIANCE PLAN, FOR)	
APPROVAL OF ITS AMENDED)	CASE NO.
ENVIRONMENTAL COST RECOVERY)	2012-00063
SURCHARGE TARIFF, FOR CERTIFICATES OF)	
PUBLIC CONVENIENCE AND NECESSITY,)	
AND FOR AUTHORITY TO ESTABLISH A)	
REGULATORY ACCOUNT)	

O R D E R

On June 1, 2012, Big Rivers Electric Corporation (“Big Rivers”) filed a motion to deviate from Commission Staff’s May 21, 2012 First Request for Information requiring that a hard copy original and ten paper copies of responses to requests for information be filed with the Commission. In conjunction with the motion, Big Rivers states that it is filing a hard copy original and ten paper copies of its responses to Commission Staff’s First Request for Information, Kentucky Industrial Utility Customer, Inc.’s (“KIUC”) First Set of Data Requests, the Attorney General’s (“AG”) Initial Data Requests, and Ben Taylor and Sierra Club’s Initial Requests for Information, except that attachments to certain responses are provided electronically on CDs attached to the original and each copy of the responses.

In support of its motion, Big Rivers asserts that, if printed, the electronic attachments to the responses to Item 10 and Item 38f to Commission Staff’s First Request for Information would contain over 100 pages each; the electronic attachment

to the response to Item 23 and Item 32 of the AG's Initial Data Requests would contain over 120 pages each; the electronic attachment to the response Item 7 of KIUC's First Set of Data Requests would consume eight CDs; the redacted electronic attachment to the response to Item 36 of KIUC's First Set of Data Requests contains 380 emails, many of which contain attachments; the confidential electronic attachment to the response to Item 36 of KIUC's First Set of Data Requests contains 285 emails, many of which contain attachments; the electronic attachments to Items 43 and 48 of KIUC's First Set of Data Requests contain over 300 and 800 pages, respectively; the electronic attachment to the response Items 4, 5, and 11 of Sierra Club's Initial Requests for Information contain over 1,500, 150, and 1,000 pages, respectively; and the confidential electronic attachments to Items 19 and 20 of Sierra Club's Initial Requests for Information contain in total over 1,400 pages. Due to the voluminous nature of these attachments to discovery responses, Big Rivers requests that it be granted a deviation from the requirement to file a hardcopy original and ten paper copies of the attachments.

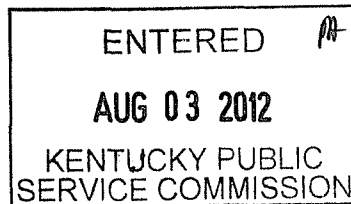
Having reviewed the motion and being otherwise sufficiently advised, the Commission finds that Big Rivers has established good cause to deviate from the provision in the May 21, 2012 Commission Staff's First Request for Information that requires the filing of ten paper copies with the Commission. The Commission finds that the attachments to the responses to the above requests for information are sufficiently voluminous to allow Big Rivers to substitute electronic copies for the paper copies to be filed with the Commission. However, Big Rivers is required to file the original attachments in paper format.

IT IS THEREFORE ORDERED that:

1. Big Rivers' motion to deviate from the filing requirements of the May 21, 2012 Commission Staff's First Request for Information is granted to the extent that Big Rivers may file in electronic format the ten copies of its attachments to the responses of the discovery requests identified herein.

2. Big Rivers shall file one original of the attachments identified herein in paper format within ten days of the date of this Order.

By the Commission



ATTEST:


Executive Director

Case No. 2012-00063

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