

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KENTUCKY UTILITIES)	CASE NO.
COMPANY FOR AN ADJUSTMENT OF ITS)	2012-00221
ELECTRIC RATES)	

ORDER

On August 14, 2012, Kentucky Utilities Company ("KU") filed a motion for a deviation from the requirements of the Commission's June 22, 2012 Order and the Commission Staff's Request for Information that an original and up to two copies in paper format be filed within two business days following electronic filing of documents. KU requests that it be excused from filing any documents in paper format where the individual attachments to an electronically filed data response exceeds 1,000 pages. As the basis for this request, KU asserts that such attachments are unduly voluminous and difficult to reproduce within the time provided to file the data responses. In lieu of filing these responses in paper format, KU requests that it be permitted to file such responses in digital format only on a digital video disc ("DVD"). In particular, KU seeks a deviation from the paper filing requirement with respect to the following responses to data requests:

1. Commission Staff's Second Request for Information ("Staff's Second Request"), Item No. 45;
2. The Attorney General's ("AG") Initial Request for Information ("Initial Request"), Item Nos. 34, 121, 152, 201, 216, and 217;

3. Kentucky Industrial Utility Customers, Inc.'s Initial Request for Information ("KIUC Initial Request"), Item No. 42(c); and

4. Kroger Company's Initial Request for Information ("Kroger's Initial Request"), Item No. 1(f).

With respect to Commission Staff's Second Request, Item No. 45, KU states that its response consists of 4,534 pages. This response would total 13,062 pages if KU were required to file an original and two copies in paper format with the Commission.

With respect to the AG's Initial Request, Item No. 34, KU states that it is submitting a file that is over 900 megabytes in size and would amount to 2,965 printed pages. KU requests that it be excused from electronically filing this response through the Commission's website because of its voluminous size. KU further requests to be excused from filing paper copies of this response and proposes to submit the response with the Commission and the AG, and upon the request of any other party, in digital format on a DVD.

With respect to the AG's Initial Request, Item No. 121, KU states that its response consists of 1,684 pages. This response would total 5,052 pages if KU were required to file an original and two copies in paper format with the Commission.

With respect to the AG's Initial Request, Item No. 152, KU states that certain files in the attachment to that response contain video files that cannot be uploaded to the Commission's website or provided in paper format.

With respect to the AG's Initial Request, Item No. 201, KU states that certain documents attached to the response contain confidential information for which KU is seeking confidential protection. KU informs that the confidential documents will be filed

in paper format under seal attached to a petition for confidential treatment. Concerning the non-confidential, public documents, KU maintains that these documents total 4,641 pages, which increases to 13,923 pages if KU were required to file an original and two copies in paper format with the Commission.

With respect to the AG's Initial Request, Item No. 216, KU states that its response consists of 1,784 pages. The response would total 5,352 pages if KU were required to file an original and two copies in paper format with the Commission.

With respect to the AG's Initial Request, Item No. 217, KU states that its response consists of 2,388 pages. The response would total 7,164 pages if KU were required to file an original and two copies in paper format with the Commission.

With respect to KIUC's Initial Request, Item No. 42(c), KU states that certain documents attached to the response contain confidential information for which KU is seeking confidential protection. KU notes that it will file the non-confidential, public documents in both electronic and paper format. KU advises that the confidential documents consist of 7,479 pages, which increases to 22,437 pages if it were required to file an original and two copies in paper format with the Commission.

With respect to Kroger's Initial Request, Item No. 1(f), KU states that its response consists of 1,055 pages. The response would total 3,165 pages if KU were required to file an original and two copies in paper format with the Commission.

Having reviewed the motion and being otherwise sufficiently advised, the Commission finds that KU has established good cause to deviate from the requirements governing the filing of paper copies. The Commission finds that KU should be allowed to file its response to the AG's Initial Request, Item No. 152, both the original and the

two copies, in electronic format given that the response contains video files which can only be stored in an electronic format. KU should also be allowed to submit this response on a DVD without having to file the response via the Commission's website given that video files are not allowed to be uploaded through the Commission's website at this point in time.

The Commission further finds that KU's response to the AG's Initial Request, Item No. 34, is sufficiently voluminous to allow KU to substitute digital copies on DVD for the paper copies to be filed with the Commission and copies to be served on the parties. However, the Commission finds that KU has not established good cause to permit it to deviate from electronically filing this response via the Commission's website. It is unknown whether this response could be broken down into several smaller files such that it would satisfy the size requirement to be able to be electronically filed via the Commission's website. KU is also required to file an original of this response with the Commission in paper format.

Concerning the responses to the remaining data requests enumerated above, the Commission further finds that they are sufficiently voluminous to allow KU to file the copies of such responses on a DVD. However, KU is still required to file with the Commission an original in paper of each response to these discovery items.

IT IS THEREFORE ORDERED that:

1. KU's motion to deviate from the filing requirements of the June 22, 2012 Order is granted to the extent that KU may file in digital format on DVDs the copies of its responses to data requests referenced herein and denied without prejudice with respect

to KU's request to deviate from electronically filing its response to the AG's Initial Request, Item No. 34.

2. KU shall file in paper format, within seven days of the date of this Order, the original responses to Commission Staff's Second Request, Item No. 45; the AG's Initial Request, Item Nos. 34, 121, 201, 216, and 217; KIUC's Initial Request, Item No. 42(c); and Kroger's Initial Request, Item No. 1(f).

3. KU's request to file its response to the AG's Initial Request, Item No. 152, both the original and copies, in digital format on a DVD without having to electronically file it through the Commission's website is granted.

By the Commission

ENTERED
OCT 29 2012
KENTUCKY PUBLIC SERVICE COMMISSION

ATTEST:



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