

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF LOUISVILLE GAS AND	)	
ELECTRIC COMPANY FOR AN ADJUSTMENT	)	
OF ITS ELECTRIC AND GAS RATES, A	)	CASE NO.
CERTIFICATE OF PUBLIC CONVENIENCE	)	2012-00222
AND NECESSITY, APPROVAL OF	)	
OWNERSHIP OF GAS SERVICE LINES AND	)	
RISERS, AND A GAS LINE SURCHARGE	)	

ORDER

On September 12, 2012, Louisville Gas and Electric Company ("LG&E") 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. LG&E requests that it be excused from filing any documents in paper format where the individual attachment to an electronically filed data response exceeds 1,000 pages. As the basis for this request, LG&E asserts that such attachments are unduly voluminous and difficult to reproduce within the time provided to file the data responses. LG&E also requests that it be excused from electronically filing any attachment that exceeds 50 megabytes ("MB") due to technical difficulties associated with uploading files exceeding that size to the Commission's website.

In its response to the Attorney General's ("AG") Second Request for Information, Item No. 31, LG&E contends that the response contains 3,392 pages. This response would total 10,176 pages if LG&E were required to file an original and two copies in

paper format with the Commission. Due to the voluminous nature of these documents, LG&E requests that it be permitted to provide documents in electronic format only by filing on the Commission's website.

In response to Kentucky Industrial Utility Customers, Inc.'s ("KIUC") Second Request for Information, Item No. 44(d), LG&E contends that the response contains 1,090 pages. This response would total 3,270 pages if LG&E were required to file an original and two copies in paper format with the Commission. When converted to an electronic file, the documents comprise 91 MB. LG&E requests permission to only provide the response on a digital video disc ("DVD") that would be mailed to all parties.

In response to KIUC's Second Request for Information, Item No. 80, LG&E contends that the response contains less than 1,000 pages, but, when these responses are converted to an electronic file, the documents comprise 205 MB. LG&E requests that it be permitted to only provide an original and two copies of this response in paper format to the Commission and to provide this response to all other parties on a DVD.

In response to KIUC's Second Request for Information, Item No. 83, LG&E contends that the response contains 3,865 pages. This response would total 11,595 pages if LG&E were required to file an original and two copies in paper format with the Commission. When converted to an electronic file, the documents comprise 500 MB. LG&E requests permission to only provide a DVD that would be mailed to all parties.

On September 27, 2012, LG&E's counsel submitted a letter to the Commission stating that LG&E has been able to split the large single files associated with the discovery responses at issue into several smaller files. LG&E is thus able to electronically file these responses through the Commission's website. As a result,

LG&E states that it is withdrawing its request to deviate from the electronic filing requirement with respect to its responses to KIUC's Second Request for Information, Item Nos. 44(d) and 83.<sup>1</sup> LG&E notes that its request to deviate from filing paper copies of the information responsive to KIUC's Second Request for Information, Item Nos. 44(d) and 83, remains submitted for the Commission's consideration and decision.

Having reviewed the motion to deviate, the clarification letter, and being otherwise sufficiently advised, the Commission finds that LG&E has established good cause to deviate from the requirements governing the filing of paper copies. The Commission finds that the responses to the discovery requests mentioned herein are sufficiently voluminous to allow LG&E to substitute electronic copies on DVD for the paper copies to be filed with the Commission and the copies to be served on the parties.<sup>2</sup> However, LG&E is still required to file with the Commission an original in paper format of each response to these discovery items.

IT IS THEREFORE ORDERED that:

1. LG&E's motion to deviate from the filing requirements of the June 22, 2012 Order is granted in part and denied in part.

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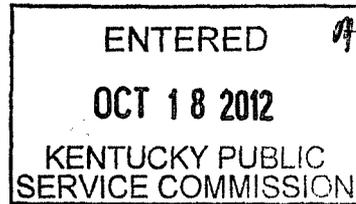
<sup>1</sup> Although the letter does not indicate that LG&E was also withdrawing its deviation request with respect to LG&E's response to KIUC's Second Request for Information, Item No. 80, it appears that this was an inadvertent omission. LG&E did, in fact, electronically file its responses to KIUC's Second Request for Information, Item No. 80, as well as Item Nos. 44(d) and 83 on September 27, 2012. The Commission will, therefore, deem that LG&E is also withdrawing its request to deviate from the electronic filing requirement with respect to the response to KIUC's Second Request for Information, Item No. 80.

<sup>2</sup> Except for the response to KIUC's Second Request for Information, Item No. 80, for which LG&E states that it would file with the Commission an original and two copies in paper format.

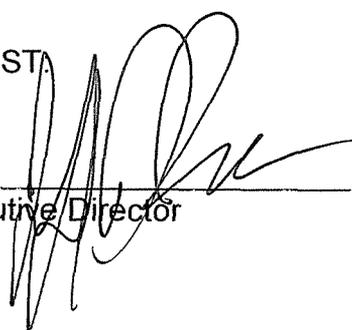
2. LG&E shall file in paper format, within seven days of the date of this Order, the original responses to the AG's Second Request for Information, Item No. 31, and KIUC's Second Request for Information, Item Nos. 44 and 83.

By the Commission

Commissioner Breathitt is abstaining from this proceeding.



ATTEST

  
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Executive Director

Case No. 2012-00222

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