

1 COMMONWEALTH OF KENTUCKY  
2 BEFORE THE PUBLIC SERVICE COMMISSION OF KENTUCKY

RECEIVED

JUN 01 2012

PUBLIC SERVICE  
COMMISSION

3  
4  
5 In the Matter of:

6  
7 Application of Big Rivers Electric Corporation )  
8 for Approval of its 2012 Environmental )  
9 Compliance Plan, for Approval of its Amended )  
10 Environmental Cost Recovery Surcharge Tariff, )  
11 for Certificates of Public Convenience and )  
12 Necessity, and for Authority to Establish a )  
13 Regulatory Account )

Case No. 2012-00063

14  
15  
16 **MOTION FOR DEVIATION**

17 Big Rivers Electric Corporation ("Big Rivers") hereby moves the Kentucky Public  
18 Service Commission ("Commission") for a deviation from the requirement in the Commission's  
19 May 21, 2012, Order in this matter requiring that a hardcopy original and ten paper copies of  
20 responses to requests for information be filed with the Commission. Big Rivers is filing with  
21 this motion a hardcopy original and ten paper copies of its responses to the Commission Staff's  
22 First Request for Information, Kentucky Industrial Utility Customers, Inc.'s ("KIUC") First Set  
23 of Data Requests, the Attorney General's Initial Data Requests, and Ben Taylor and the Sierra  
24 Club's (together, the "Sierra Club") Initial Requests for Information, except that the attachments  
25 to the following responses are provided electronically on CDs attached to the original and each  
26 copy of the responses or on a CD filed under a petition for confidential treatment:

- 27 a. Items 10 and 38f of the Commission Staff's First Request for Information ("PSC 10"  
28 and "PSC 38f," respectively);
- 29 b. Items 7, 36, 43, and 48 of KIUC's First Set of Data Requests ("KIUC 7," "KIUC 36,"  
30 "KIUC 43," and "KIUC 48," respectively);

1 c. Items 23 and 32 of the Attorney General’s Initial Data Requests ( “AG 23” and “AG  
2 32,” respectively); and

3 d. Items 4, 5, 11, 19, and 20 of the Sierra Club’s Initial Requests for Information (“SC  
4 4,” “SC 5,” “SC 11,” “SC 19,” and “SC 20,” respectively).


5 The attachments to Big Rivers’ responses to the above information requests are  
6 voluminous. If printed, the electronic attachments to Big Rivers’ responses to PSC 10 and PSC  
7 38f would contain over 100 pages each, the electronic attachments to the responses to AG 23 and  
8 AG 32 would contain over 120 pages each, the electronic attachment to the response to KIUC 7  
9 consumes 8 CDs, the redacted electronic attachment to the response to KIUC 36 contains  
10 approximately 380 emails (many with attachments), the confidential electronic attachment to the  
11 response to KIUC 36 contains approximately 285 emails (many with attachments), the electronic  
12 attachment to the response to KIUC 43 would contain over 300 pages, the electronic attachment  
13 to KIUC 48 would contain over 800 pages, the redacted and confidential electronic attachments  
14 to the response to SC 4 would contain over 1500 pages, the electronic attachments to SC 5 would  
15 contain over 150 pages, the electronic attachments to SC 11 would contain over 1000 pages, and  
16 the confidential electronic attachments to SC 19 and 20 would contain over 1400 pages.

17 For the foregoing reasons, Big Rivers requests that it be granted a deviation from the  
18 requirement to file a hardcopy original and ten paper copies of these attachments.

19 WHEREFORE, Big Rivers respectfully requests that the Commission enter an order  
20 granting a deviation to Big Rivers from the requirement to file a hardcopy original and seven  
21 paper copies of the attachments to its responses to the above requests for information.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12

On this the 1<sup>st</sup> day of June, 2012.



---

James M. Miller  
Tyson Kamuf  
SULLIVAN, MOUNTJOY, STAINBACK  
& MILLER, P.S.C.  
100 St. Ann Street, P. O. Box 727  
Owensboro, Kentucky 42302-0727  
(270) 926-4000

Counsel for Big Rivers Electric Corporation