

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN EXAMINATION BY THE PUBLIC SERVICE	)	
COMMISSION OF THE ENVIRONMENTAL	)	
SURCHARGE MECHANISM OF BIG RIVERS	)	
ELECTRIC CORPORATION FOR THE SIX-	)	CASE NO.
MONTH BILLING PERIOD ENDING JANUARY	)	2018-00163
31, 2018, AND THE PASS THROUGH	)	
MECHANISM OF ITS THREE MEMBER	)	
DISTRIBUTION COOPERATIVES	)	

ORDER

On June 26, 2008, the Commission approved Big Rivers Electric Corporation's ("Big Rivers") environmental surcharge application and established a surcharge mechanism.<sup>1</sup> The Commission also approved a mechanism to pass through the environmental surcharge to Big Rivers' three-member distribution cooperatives ("Member Cooperatives").<sup>2</sup> Pursuant to KRS 278.183(3), at six-month intervals, the Commission must review the past operations of the environmental surcharge. After the hearing, the Commission may, by temporary adjustment in the surcharge, disallow any surcharge amounts found not to be just and reasonable, and reconcile past surcharges with actual

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<sup>1</sup> Big Rivers was authorized to implement an environmental surcharge in Case No. 2007-00460, *The Application of Big Rivers Electric Corporation for Approval of an Environmental Compliance Plan and Environmental Surcharge Tariff* (Ky. PSC June 26, 2008).

<sup>2</sup> The three Member Cooperatives were authorized to implement a pass-through mechanism in Case No. 2007-00470, *Application of Meade County Rural Electric Cooperative Corporation for Approval of Retail Tariff Riders, Revised Tariffs and New Tariff, and for Approval of Amendment of Wholesale Agreement* (Ky. PSC Dec. 12, 2008); Case No. 2008-00009, *Application of Kenergy Corp. for Approval of Retail Tariff Riders and Revised Tariffs, Approval of Smelter Agreements, and Approval of Amendment to Wholesale Agreement* (Ky. PSC Dec. 12, 2008); and Case No. 2008-00010, *The Application of Jackson Purchase Energy Corporation for Approval of Retail Tariff Riders, Revised Tariffs, New Tariff, and Amendment of Wholesale Agreement* (Ky. PSC Dec. 12, 2008).

costs recoverable pursuant to KRS 278.183(1). Therefore, the Commission hereby initiates a six-month review of the environmental surcharge as billed from August 1, 2017, through January 31, 2018, to the Member Cooperatives. The billing period under review reflects costs incurred by Big Rivers from June 1, 2017, through November 30, 2017. The Commission also initiates the corresponding review of the pass-through mechanism for the Member Cooperatives as billed from September 1, 2017, through February 28, 2018, to their retail member customers and August 1, 2017, to January 31, 2018, for large commercial and industrial customers with dedicated delivery points.<sup>3</sup>

To facilitate this review, a procedural schedule is set forth in Appendix A to this Order. In accordance with that schedule, Big Rivers is to file prepared direct testimony in support of the reasonableness of the application of its environmental surcharge mechanism during the time period under review. Also in accordance with that schedule, the three Member Cooperatives, or Big Rivers on their behalf, are to file prepared direct testimony in support of the reasonableness of the application of the pass-through mechanism during the time period under review. In addition, Big Rivers and the Member Cooperatives are to file their responses to the information requested in Appendix B to this Order.

All requests for intervention should be filed by the date set forth in Appendix A. As set forth in 807 KAR 5:001, Section 4(11)(a), a person requesting permissive intervention in a Commission proceeding is required to demonstrate either (1) a special interest in the proceedings which is not adequately represented in the case, or (2) that the person

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<sup>3</sup> The Commission's Orders in Case Nos. 2007-00470, 2008-00009, and 2008-00010 allow the Member Cooperatives to pass through the environmental surcharge to all their retail customers, except large commercial and industrial customers with dedicated delivery points, on a one-month lag. Customers with dedicated delivery points are billed without the one-month lag necessary for the retail customers.

requesting permissive intervention is likely to present issues or develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings. Further, KRS 278.040(2) requires that a person seeking intervention must have an interest in the rates or service of a utility, as those are the only matters that are subject to the Commission's jurisdiction.

Based on the foregoing, the Commission further finds that any person requesting to intervene in a Commission proceeding must state with specificity the person's special interest that is not adequately represented or the issues and facts the person will present that will assist the Commission in fully considering the matter. A mere recitation of the quantity of electricity consumed by the movant or a general statement regarding a potential impact of a possible modification of rates will not be deemed sufficient to establish a special interest.

IT IS HEREBY ORDERED that:

1. Big Rivers and each of its three Member Cooperatives listed in footnote 2 shall be made parties to this case.
2. The procedural schedule set forth in Appendix A to this Order shall be followed in this proceeding.
3. Any motion to intervene filed after the date set forth in Appendix A shall show a basis for intervention and good cause for being untimely. If the untimely motion is granted, the movant shall accept and abide by the existing procedural schedule.
4. By the date set forth in Appendix A, Big Rivers shall file its prepared direct testimony in support of the reasonableness of the application of its environmental surcharge mechanism and the three Member Cooperatives, or Big Rivers on their behalf,

shall file by that date their prepared direct testimony in support of the reasonableness of the application of the pass-through mechanism during the periods under review.

5. Any party filing testimony shall file an original and six copies.

6. a. The information requested herein is due on or before the date specified in Appendix A to this Order. Responses to requests for information shall be appropriately bound, tabbed, and indexed and shall include the name of the witness responsible for responding to the questions related to the information provided, with copies to all parties of record and six copies to the Commission.

b. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

c. Any party shall make timely amendment to any prior response if it obtains information which indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect.

d. For any request to which a party fails or refuses to furnish all or part of the requested information, that party shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

e. A party filing a paper containing personal information shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read.

7. Within seven days of the Commission's granting intervention to a party, Big Rivers shall provide the party with a copy of its monthly environmental surcharge reports as filed with the Commission for the review period.

8. Big Rivers' monthly environmental surcharge reports and supporting data for the review period shall be incorporated by reference into the record of this case.

9. The Commission does not look favorably upon motions for continuance. Accordingly, motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause.

10. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

By the Commission



ATTEST:

*For [Signature]*  
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Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2018-00163 DATED **JUN 13 2018**

Big Rivers shall file its prepared direct testimony and responses to the information requested in Appendix B no later than ..... 07/06/18

A person interested in becoming a party to this proceeding shall file a motion to intervene with the Commission pursuant to 807 KAR 5:001, Section 4(11) no later than..... 07/11/18

All additional requests for information to Big Rivers shall be filed no later than..... 07/23/18

Big Rivers shall file responses to additional requests for information no later than..... 08/02/18

Intervenor testimony, if any, in verified prepared form shall be filed no later than ..... 08/09/18

All requests for information to intervenors shall be filed no later than..... 08/17/18

Intervenors shall file responses to requests for information no later than..... 08/27/18

Last day for Big Rivers or Intervenors to request a hearing or submit this case for a decision based on the record ..... 09/04/18

## APPENDIX B

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2018-00163 DATED **JUN 13 2018**

### COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO BIG RIVERS ELECTRIC CORPORATION AND EACH OF ITS MEMBER COOPERATIVES

1. Prepare a summary schedule showing the calculation of E(m) and the surcharge factor for the expense months covered by the billing period under review. Form 1.1 can be used as a model for this summary. Include the two expense months subsequent to the billing period in order to show the over- and under-recovery adjustments for the months included for the billing period. Include a calculation of any additional over- or under-recovery amount Big Rivers believes needs to be recognized for the billing period under review. Provide all supporting calculations and documentation in Excel spreadsheet format with formulas intact and unprotected and all rows and columns fully accessible.

2. For each of the three Member Cooperatives, prepare a summary schedule showing the Member Cooperative's pass-through revenue requirement for the months corresponding with the billing period under review. Include the two months subsequent to the billing period included in the review period. Include a calculation of any additional over- or under-recovery amount the Member Cooperative believes needs to be recognized for the billing period under review. Provide all supporting calculations and documentation in Excel spreadsheet format with formulas intact and unprotected and all rows and columns fully accessible.

3. Refer to Form 2.5, Operating and Maintenance Expenses, for each of the expense months covered by each billing period under review. For each of the expense line items listed on this schedule, explain the reason(s) for any change in the expense levels from month to month if that change is greater than plus or minus 10 percent.

4. Refer to Big Rivers monthly environmental surcharge reports for the expense months in this review period. Provide the calculations and supporting data for the rates of return included in each monthly environmental surcharge filing. Provide all supporting calculations and documentation in Excel spreadsheet format, with formulas intact and unprotected and all rows and columns accessible.

5. State whether Big Rivers and the Member Cooperatives would be amenable to the use of electronic filing procedures for environmental surcharge review cases.

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