COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF BIG RIVERS ELECTRIC CORPORATION FOR TERMINATION OF CONTRACTS AND A DECLARATORY ORDER AND FOR AUTHORITY TO ESTABLISH A REGULATORY ASSET

CASE NO. 2018-00146

NOTICE OF FILING

Notice is given to all parties that the following materials have been filed into the record of this proceeding:

- The digital video recording of the evidentiary hearing conducted on July 25, 2018 in this proceeding;

- Certification of the accuracy and correctness of the digital video recording;

- A written log listing, inter alia, the date and time of where each witness’ testimony begins and ends on the digital video recording of the evidentiary hearing conducted on July 25, 2018.

A copy of this Notice, the certification of the digital video record, and hearing log have been electronically served upon all persons listed at the end of this Notice. Parties desiring to view the digital video recording of the hearing may do so at http://psc.ky.gov/av_broadcast/2018-00146/2018-00146_25Jul18_Inter.asx.

Parties wishing an annotated digital video recording may submit a written request by electronic mail to pscfilings@ky.gov. A minimal fee will be assessed for a copy of this recording.
Done at Frankfort, Kentucky, this 9th day of October 2018.

Gwen R. Pinson
Executive Director
Public Service Commission of Kentucky
COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF BIG RIVERS ELECTRIC CORPORATION ) CASE NO.
FOR TERMINATION OF CONTRACTS AND A ) 2018-00146
DECLARATORY ORDER AND FOR AUTHORITY TO 
ESTABLISH A REGULATORY ASSET

CERTIFICATION

I, Stephanie Schweighardt, hereby certify that:


2. I am responsible for the preparation of the digital recording;


4. The Hearing Log attached to this Certificate accurately and correctly states the events that occurred at the Hearing of July 25, 2018 and the time at which each occurred.

Signed this 1st day of August, 2018.

[Signature]
Stephanie Schweighardt, Notary Public
State at Large
Commission Expires: January 14, 2019
ID#: 525987
<table>
<thead>
<tr>
<th>Event Time</th>
<th>Log Event</th>
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<tr>
<td>12:23:14 PM</td>
<td>Session Started</td>
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<tr>
<td>12:23:17 PM</td>
<td>Session Paused</td>
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<tr>
<td>12:58:35 PM</td>
<td>Session Resumed</td>
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<tr>
<td>12:58:39 PM</td>
<td>Chairman Schmitt</td>
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<td>Note: Schweighardt, Stephanie</td>
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<tr>
<td></td>
<td>Introductions and Preliminary remarks</td>
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<tr>
<td>12:59:48 PM</td>
<td>Chairman Schmitt</td>
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<td>Note: Schweighardt, Stephanie</td>
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<td>Regarding any intervenors object to Commission’s object to terminating the contract</td>
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<td>Note: Schweighardt, Stephanie</td>
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<td>KIUC does not object and in favor of terminating the contract</td>
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<td>Note: Schweighardt, Stephanie</td>
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<td>AG - no reason and no objection</td>
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<tr>
<td>1:00:53 PM</td>
<td>Camera Lock PTZ Activated</td>
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<td>1:01:02 PM</td>
<td>Camera Lock Deactivated</td>
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<td>1:02:45 PM</td>
<td>Chairman Schmitt</td>
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<td>Note: Schweighardt, Stephanie</td>
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<td></td>
<td>Proposing to enter termination contract into separate final order</td>
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<td>Note: Schweighardt, Stephanie</td>
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<td></td>
<td>No objections from BREC, KIUC and AG office</td>
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<td>1:03:58 PM</td>
<td>Chairman Schmitt</td>
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<td>Note: Schweighardt, Stephanie</td>
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<td>Asking to submit statement of no objection</td>
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<td>Note: Schweighardt, Stephanie</td>
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<td></td>
<td>KIUC asking if Big Rivers would operate thru May 19</td>
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<td>1:04:55 PM</td>
<td>BREC Atty Tyson Kamuf</td>
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<td></td>
<td>Note: Schweighardt, Stephanie</td>
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<td></td>
<td>Will exit before May 31, 2019 or sooner if possible</td>
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<td>1:05:15 PM</td>
<td>KIUC Atty Mike Kurtz</td>
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<td>Note: Schweighardt, Stephanie</td>
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<td>KIUC asking if Big Rivers financial obligation under the contract cease.</td>
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<td>Note: Schweighardt, Stephanie</td>
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<td>BREC stating would cease except for some obligations</td>
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<td>1:06:10 PM</td>
<td>KIUC Atty Mike Kurtz</td>
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<td>Note: Schweighardt, Stephanie</td>
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<td></td>
<td>BREC stating if contract is terminated, life of plant is over</td>
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<tr>
<td>1:07:00 PM</td>
<td>AG Office Atty Kent Chandler</td>
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<td>Note: Schweighardt, Stephanie</td>
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<td>Asking if contracts cease at time of order or May 2019</td>
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<td>Note: Schweighardt, Stephanie</td>
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<td></td>
<td>Chairman Schmitt confirms, relationship continues until BREC is out</td>
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<td>1:07:52 PM</td>
<td>KIUC Atty Mike Kurtz</td>
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<td>Note: Schweighardt, Stephanie</td>
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<td></td>
<td>Stating the sooner BREC contract ends, the better</td>
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Chairman Schmitt, stating that is something BREC and Henderson will have to work out and willing to give BREC the benefit of the doubt

Note: Schweighardt, Stephanie

Chairman Schmitt, stating termination will take some time

Note: Schweighardt, Stephanie

Chairman Schmitt, stating will have an order entered

Note: Schweighardt, Stephanie

Chairman Schmitt, regarding the motion of confidentiality

Note: Schweighardt, Stephanie

Chairman Schmitt, does not need to hear formal argument on this, but has questions.

Note: Schweighardt, Stephanie

Chairman Schmitt, asking counsel what part of confidentiality motion

Note: Schweighardt, Stephanie

BREC Atty Tyson Kamuf, Explaining why language is in the agreement since 2013.

Note: Schweighardt, Stephanie

Chairman Schmitt, Regarding equitable relief

Note: Schweighardt, Stephanie

BREC Atty Tyson Kamuf, States having language in the agreement does not make them give up any rights

Note: Schweighardt, Stephanie

Chairman Schmitt, Regarding paragraph 6 of confidentiality agreement.

Note: Schweighardt, Stephanie

BREC Atty Tyson Kamuf, States this is not how he understands it

Note: Schweighardt, Stephanie

KIUC Atty Mike Kurtz, Agrees with Chairman regarding the Confidential Agreement and explains why KIUC signed the agreement.

Note: Schweighardt, Stephanie

Chairman Schmitt, Asking AG if they sign the same agreement

Note: Schweighardt, Stephanie

Chairman Schmitt, AG replies yes, they did and explains why

Note: Schweighardt, Stephanie

BREC Atty Tyson Kamuf, Explains paragraph 6 and intervenors

Note: Schweighardt, Stephanie

Chairman Schmitt, States will not be as strong of a case if paragraph 7 is taken out

Note: Schweighardt, Stephanie

Chairman Schmitt, Regarding the intervention in case and motion to compel discovery

Note: Schweighardt, Stephanie

KIUC Atty Mike Kurtz, Explains why seeking authority to sustain assets

Note: Schweighardt, Stephanie
1:27:27 PM  Chairman Schmitt  
Note: Schweighardt, Stephanie  
Asking if finding is probable not likable

1:28:23 PM  Chairman Schmitt  
Note: Schweighardt, Stephanie  
Asking why not wait until rate case was filed?

1:29:41 PM  KIUC Atty Mike Kurtz  
Note: Schweighardt, Stephanie  
Explanation of question regarding BREC Regulatory Asset.

1:33:55 PM  Chairman Schmitt  
Note: Schweighardt, Stephanie  
Regarding moving forward with this case and what kind of proof will be necessary.

1:35:20 PM  KIUC Atty Mike Kurtz  
Note: Schweighardt, Stephanie  
Stating thoughts about the burden of proof and moving forward

1:36:17 PM  Chairman Schmitt  
Note: Schweighardt, Stephanie  
Regarding expenses BREC will have

1:37:42 PM  KIUC Atty Mike Kurtz  
Note: Schweighardt, Stephanie  
Distributes document and explains what it is

1:44:02 PM  KIUC Atty Mike Kurtz  
Note: Schweighardt, Stephanie  
Reviewing questions for BREC

1:48:37 PM  KIUC Atty Mike Kurtz  
Note: Schweighardt, Stephanie  
Reviewing questions regarding level of rates

1:49:35 PM  KIUC Atty Mike Kurtz  
Note: Schweighardt, Stephanie  
Regarding question #27 - can be withdrawn

1:50:35 PM  KIUC Atty Mike Kurtz  
Note: Schweighardt, Stephanie  
Question # 28 - can be withdrawn

1:52:13 PM  BREC Atty  
Note: Schweighardt, Stephanie  
Responds to questions

1:53:21 PM  Chairman Schmitt  
Note: Schweighardt, Stephanie  
Asking if he agrees with KIUC regarding the commission permitting BREC to recover.

1:54:26 PM  Chairman Schmitt  
Note: Schweighardt, Stephanie  
Regarding the Commission allowing evidence in rate case

1:54:47 PM  BREC Atty Tyson Kamuf  
Note: Schweighardt, Stephanie  
Stating why he agrees

1:56:21 PM  Chairman Schmitt  
Note: Schweighardt, Stephanie  
Response to KIUC discovery request and not entitled to any of it regarding referrel of the savings

1:57:00 PM  KIUC Atty Mike Kurtz  
Note: Schweighardt, Stephanie  
Regarding no reason KIUC should be concerned until rate case
Regarding commission having discretion

Regarding burden of proof and if this case moves forward

Regarding meeting your burden of proof

Regarding Item #29 - Capital Accounts, BREC owes the Clarks no money, they are Kenergy customers

Requesting an explanation in writing from BREC regarding the amount not being owed.

Provide explanation

Regarding the procedural schedule and what kind of a delay if any

Regarding when closing books at the end of year

Will move to get an order before the end of the year

Asking if anything else or any other questions.

Hearing Adjourned

Session Paused

Session Ended
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*Denotes Served by Email

Service List for Case 2018-00146