

RECEIVED

NOV 26 2019

PUBLIC SERVICE  
COMMISSION

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF SALT RIVER ELECTRIC	)	
COOPERATIVE CORPORATION FOR AN	)	
ORDER ISSUING A CERTIFICATE OF PUBLIC	)	CASE No.
CONVENIENCE AND NECESSITY TO	)	2019-00399
CONSTRUCT AN ADVANCED METERING	)	
INFRASTRUCTURE SYSTEM (AMI) PURSUANT	)	
TO 807 KAR 5:001 AND KRS 278.020	)	

**ATTORNEY GENERAL'S MOTION TO INTERVENE OUT-OF-TIME  
AND MEMORANDUM IN SUPPORT OF MOTION TO INTERVENE  
OUT-OF-TIME**

Comes now, the Attorney General of the Commonwealth of Kentucky, by and through his Office of Rate Intervention ("Attorney General"), and moves the Public Service Commission of Kentucky ("Commission") grant him intervention in the instant proceeding. KRS 367.150 (8) provides the Attorney General the power and duty to appear before regulatory bodies of the Commonwealth of Kentucky, and to be made a real party in interest, in order to represent and be heard on behalf of consumers' interests, "whenever deemed necessary and advisable . . . by the Attorney General." The Attorney General has determined that it is in the consumers' interest for him to be made a real party in interest in this matter, and hereby moves the Commission to grant him full intervenor status in this action. In further support of his motion, the Attorney General states as follows.

On November 13, 2019 the Commission issued its procedural schedule in this action. That schedule set a deadline of November 22, 2019 for the filing of any motions to intervene. As the Commission has previously noted, the Attorney General has a unique statutory right of intervention.<sup>1</sup> Additionally, the Commission has historically granted the Attorney General leave to intervene out of time upon a showing of good cause.<sup>2</sup> Due to administrative error, the Attorney General did not timely intervene in this matter. Nevertheless, this Motion is merely filed two (2) business days following the intervention deadline. The Attorney General's Office of Rate Intervention has been extensively involved in multiple dockets before the Commission as well as other regulatory bodies, which has caused counsel to miss the deadline for intervention in this case. The Attorney General respectfully requests that the Commission grant his motion to intervene, and if granted, he will accept and abide by the procedural schedule as it now stands.

The Attorney General believes that his participation in this matter will help the Commission in its consideration of the docket. The Attorney General intends to conduct discovery. There are no other parties to the case besides the applicant to provide evidence for the Commission's consideration. As such, the Attorney General believes that granting his motion is in the public interest, as his involvement will help to protect consumers' interests, which will in turn prove beneficial to the Commission in its full consideration of the issues at hand.

---

<sup>1</sup> Commission Order, *Application of South Kentucky Rural Electric Cooperative Corporation for Approval to Purchase the Fixed Assets of the Monticello Electric Plant Board, Monticello, Kentucky*, Case No. 2007-00374, at 3-4 (Ky. Commission Dec. 13, 2007) (citing to KRS 367.150(8)).

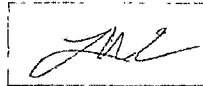
<sup>2</sup> See Commission Order, *Application of Caldwell County Water District for Rate Adjustment Pursuant to 807 KAR 5:0076*, Case No. 2016-00054 (Ky. Commission May 11, 2016); Commission Order, *Electronic Application Of Duke Energy, Inc. To Amend Its Demand Side Management Programs*, Case No. 2017-00324 (Ky. Commission Oct. 10, 2017).

Furthermore, the Attorney General's intervention at this stage will not prove unduly complicating or burdensome to the proceedings, as the next date in the Commission's procedural schedule does not occur until December 2, 2019. Finally, if his motion is granted, the Attorney General agrees to abide by the procedural schedule as it now stands, and thus the applicant will not be unduly prejudiced.

**WHEREFORE**, for these reasons the Attorney General respectfully requests that his Motion to Intervene Out of Time be granted.

Respectfully submitted,

ANDY BESHEAR  
ATTORNEY GENERAL



---

LAWRENCE W. COOK  
JUSTIN M. MCNEIL  
ASSISTANT ATTORNEYS GENERAL  
700 CAPITAL AVE., SUITE 20  
FRANKFORT KY 40601-8204  
(502) 696-5453  
[Justin.McNeil@ky.gov](mailto:Justin.McNeil@ky.gov)  
[Larry.Cook@ky.gov](mailto:Larry.Cook@ky.gov)

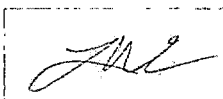
*Certificate of Service and Filing*

Counsel certifies that an original and ten photocopies of the foregoing were served and filed by hand delivery to Ms. Gwen R. Pinson, Executive Director, Public Service Commission, 211 Sower Boulevard, Frankfort, Kentucky 40601; counsel further states that true and accurate copies of the foregoing were mailed via First Class U.S. Mail, postage pre-paid, to:

Salt River Electric Cooperative Corp.  
111 West Brashear Avenue  
P. O. Box 609  
Bardstown, KY 40004

Tim J Sharp  
Salt River Electric Cooperative Corp.  
111 West Brashear Avenue  
P. O. Box 609  
Bardstown, KY 40004

This 26<sup>th</sup> day of November, 2019.



---

Assistant Attorney General