

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC 2020 INTEGRATED RESOURCE)	CASE NO.
PLAN OF BIG RIVERS ELECTRIC)	2020-00299
CORPORATION)	

ORDER

On November 11, 2021, Big Rivers Electric Corporation (BREC) filed a motion requesting leave for Lindsay Durbin to participate virtually at the November 23, 2021 hearing, instead of attending in person. BREC noted that Lindsey Durbin responded to only a single request for information, related to BREC's pay for performance plan, and argued that the time commitment required for in-person attendance is substantial, relative to this single response.

While BREC only made this motion with respect to Ms. Durbin, the Commission understands that BREC has over ten witnesses that responded to request for information in this matter and could provide testimony, depending on the questions asked at the hearing. In past IRP hearings, the Commission has found that it is more efficient to have witnesses testify simultaneously as a panel because it is not always clear which witness will best be able to respond to the particular inquiry. However, given the ongoing COVID-19 threat and the number of witnesses that would need to be questioned as part of the panel, concerns exist about how the questioning could be accomplished in a manner that is consistent with social distancing protocols with a live hearing at the Commission. The Commission also notes that both intervenors in this case have already asked to

participate virtually, so they would be questioning BREC's witnesses in that manner even if the witnesses appear live at the Commission. Thus, while the Commission grants BREC's motion as to Ms. Durbin, the Commission finds, *sua sponte*, that all of BREC's witnesses and counsel should appear for the hearing virtually, so they can testify as a panel while following COVID-19 protocols. However, the Commission also finds that each of BREC's witnesses should have their own computer or similar device with video and audio capabilities as opposed to appearing in a single large room with a single camera because the latter format has caused difficulties in past virtual hearings.

IT IS THEREFORE ORDERED that:

1. BREC's counsel and witnesses, including all persons that responded to requests for information, shall appear at the November 23, 2021 hearing virtually.
2. Each witness shall appear using a separate device with audio and video capabilities.
3. Commission Staff shall provide the parties with details for joining the hearing via video link.

By the Commission



ATTEST:

A handwritten signature in blue ink that reads "Linda C. Bridwell". The signature is written in a cursive style and is positioned above a horizontal line.

Executive Director

Case No. 2020-00299

*Angela M Goad
Assistant Attorney General
Office of the Attorney General Office of Rate
700 Capitol Avenue
Suite 20
Frankfort, KENTUCKY 40601-8204

*Roger Hickman
Big Rivers Electric Corporation
201 Third Street
P. O. Box 24
Henderson, KY 42420

*Joe F. Childers
Childers & Baxter PLLC
300 Lexington Building, 201 West Sho
Lexington, KENTUCKY 40507

*Tyson Kamuf
Corporate Attorney
Big Rivers Electric Corporation
201 Third Street
P. O. Box 24
Henderson, KY 42420

*John G Horne, II
Office of the Attorney General Office of Rate
700 Capitol Avenue
Suite 20
Frankfort, KENTUCKY 40601-8204

*Larry Cook
Assistant Attorney General
Office of the Attorney General Office of Rate
700 Capitol Avenue
Suite 20
Frankfort, KENTUCKY 40601-8204

*Matthew Miller
Sierra Club
50 F Street, NW, Eighth Floor
Washington, DISTRICT OF COLUMBIA 20001

*J. Michael West
Office of the Attorney General Office of Rate
700 Capitol Avenue
Suite 20
Frankfort, KENTUCKY 40601-8204

*Big Rivers Electric Corporation
201 Third Street
P. O. Box 24
Henderson, KY 42420