

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC INVESTIGATION OF THE)	CASE NO.
SERVICE, RATES AND FACILITIES OF)	2021-00370
KENTUCKY POWER COMPANY)	

ORDER

On February 7, 2024, Kentucky Power Company (Kentucky Power) filed a motion for an extension of time of two days to respond to a request for information. Kentucky Power also requested deviations from the filing requirements of 807 KAR 5:001, Section 8(4)(b).¹ As grounds for this request, Kentucky Power stated that the size of the information, 3.5 GB, to be provided was such that the files could not be emailed from the utility to counsel or uploaded from counsel to the Commission using the electronic filing system.² Kentucky Power contacted Commission Staff and stated it has exhausted attempts to file the information in the normal, required manner.³ Kentucky Power has made arrangements to provide six flash drives with the information for Commission Staff and for filing with the Commission. According to the motion, given the large volume of the information, and the number of different files included in the attachment to be filed,

¹ 807 KAR 5:001 Section 8(4)(b) “Except as established in paragraph (a) of this subsection, each file in an electronic submission shall be: (1) In portable document format; (2) Search-capable; (3) Optimized for viewing over the Internet; (4) Bookmarked to distinguish sections of the paper, except that documents filed in response to requests for information need not be individually bookmarked; and (5) If scanned material, scanned at a resolution of 300 dots per inch.”

² Kentucky Power’s Motion to Deviate and Extension of Time (filed Feb. 7, 2024) at 2.

³ Kentucky Power’s Motion to Deviate and Extension of Time at 2-4.

including but not limited to PDF and Excel, it was not practical nor reasonable for Kentucky Power to reformat and individually label the documents and pages.⁴

The Commission finds good cause to grant Kentucky Power's motion for an extension of time of two days to file the response. The Commission notes that it is only a short extension and based on the data size of the response, this is a reasonable request. As to the request to deviate from 807 KAR 5:001 Section 8(4)(b), the Commission recognizes that the contents of the response make it difficult for Kentucky Power to reformat and ensure compliance with the regulation. As such, the Commission finds that Kentucky Power has demonstrated good cause to be allowed to both file the response on a USB flash drive and not in the specific format required by 807 KAR 5:001 Section 8(4)(b). The Commission notes that the size of the data response is unique and does not anticipate a need to allow similar exceptions in the future.

IT IS THEREFORE ORDERED that:

1. Kentucky Power's motion for an extension of time of two days to file certain responses is granted.
2. Kentucky Power's motion for a deviation from the requirements of 807 KAR 5:001 Section 8(4)(b) is granted.

⁴ Kentucky Power's Motion to Deviate and Extension of Time at 2-3.

PUBLIC SERVICE COMMISSION



Chairman



Vice Chairman

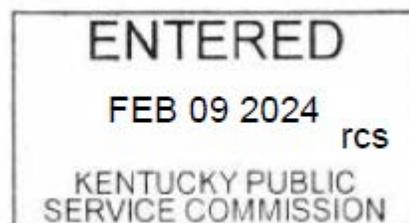


Commissioner

ATTEST:



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