

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC JOINT APPLICATION OF	)	
KENTUCKY UTILITIES COMPANY AND	)	
LOUISVILLE GAS AND ELECTRIC COMPANY	)	CASE NO.
FOR CERTIFICATES OF PUBLIC CONVENIENCE	)	2022-00402
AND NECESSITY AND SITE COMPATIBILITY	)	
CERTIFICATES AND APPROVAL OF A DEMAND	)	
SIDE MANAGEMENT PLAN	)	

ORDER

This matter arises on the motion of Louisville Gas & Electric Company and Kentucky Utilities Company (collectively, LG&E/KU) filed on March 10, 2023, pursuant to 807 KAR 5:001E, Section 22, for a deviation from the procedural requirement that all parties upload an electronic version of all papers filed in this case to the Commission’s website using the Commission’s electronic filing system.<sup>1</sup>

BACKGROUND

On March 10, 2023, LG&E/KU filed its responses to multiple parties’ requests for information. LG&E/KU’s response to Joint Intervenors’ First Request for Information (Joint Intervenors’ First Request), Item 36 included an Excel spreadsheet file with a size exceeding 50 MB. LG&E/KU stated that their counsel contacted the Commission’s filing branch on March 7 and March 8, 2023, for assistance in uploading the file to the Commission’s electronic filing system.<sup>2</sup> The Commission’s Filings branch offered

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<sup>1</sup> See 807 KAR 5:001E, Section 8(3).

<sup>2</sup> LG&E/KU’s Joint Motion to Deviate from Rule (filed Mar. 10, 2023).

LG&E/KU several suggestions to reduce the file size, but none could reduce the file size below 50 MB without losing the functionality of the file. Accordingly, LG&E/KU filed the instant motion for deviation and hand-delivered a thumb drive containing the Excel spreadsheet to the Commission's Filings branch on March 10, 2023.

However, upon receipt of LG&E/KU's thumb drive, the Commission's information technology (IT) Staff was able to successfully upload the file to the Commission's website. The relevant document filed in response to Joint Intervenors' First Request, Item 36, titled "JI\_DR1\_LGE\_KU\_Attach\_to\_Q\_36\_-\_Att\_1\_Table\_28.xlsx," is now available for viewing by the public on the Commission's website.

#### LEGAL STANDARD

Commission regulation 807 KAR 5:001E, Section 8(6)(b) provides that for electronic filing materials "[a]n individual file shall not exceed thirty (30) megabytes." Commission regulation 807 KAR 5:001E, Section 8(4) also limits the type of files that may be electronically filed with the Commission. Pursuant to that regulation, Excel spreadsheet files may only be filed if the utility produces the file in response to a request for information.<sup>3</sup> However, on October 6, 2022, the Commission entered an Order in Case No. 2022-00311 allowing the electronic filing of Excel spreadsheet files up to 50 MB.<sup>4</sup>

Commission regulation 807 KAR 5:001E, Section 22 provides, "[i]n special cases, for good cause shown, the commission may permit deviations from these rules."

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<sup>3</sup> 807 KAR 5:001E, Section 8(4)(c).

<sup>4</sup> Case No. 2022-00311, *Electronic Review of Electronic Filing Procedures in 807 KAR 5:001, Section 8(2), (4), And (6)* (Ky. PSC Oct. 6, 2022).

### DISCUSSION AND FINDINGS

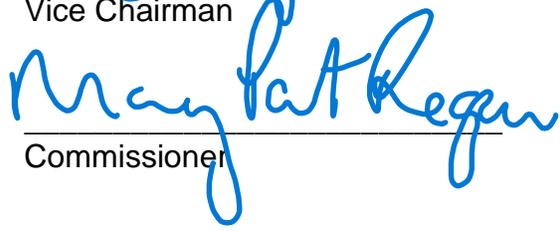
As referenced above, the Commission's IT Staff was able to electronically upload LG&E/KU's Excel spreadsheet file to the Commission's website after LG&E/KU hand-delivered the file to the Commission on a thumb drive. Because the document was uploaded to the case record and the file is accessible to the parties and the public, the Commission finds that LG&E/KU's motion should be denied as moot.

IT IS THEREFORE ORDERED that LG&E/KU's motion is denied as moot.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ENTERED  
MAR 28 2023  
rcs  
KENTUCKY PUBLIC  
SERVICE COMMISSION

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