

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF FLEMING-)	CASE NO.
MASON ENERGY COOPERATIVE, INC. FOR A)	2023-00223
GENERAL ADJUSTMENT OF RATES)	

ORDER

On August 28, 2023,¹ Fleming-Mason Energy Cooperative, Inc. (Fleming-Mason Energy) filed its application for an increase of rates based on a historical test year pursuant to KRS 278.180 and KRS 278.190. The Commission established a procedural schedule by Order dated September 28, 2023, that sets out dates for timely and orderly processing of the case. This schedule was amended on December 21, 2023, to add a date for an informal conference.

On January 23, 2024, Fleming-Mason Energy filed waiver of a hearing, a request that the case be decided upon the written record, and asked for an opportunity to submit briefs on the matter to the Commission.² Likewise, on January 23, 2024, the Attorney General filed notice stating that the Attorney General believes that the matter can be decided on the written record, and also requested the opportunity to file written briefs on the matter.³

¹ Fleming-Mason Energy tendered its application on August 4, 2023. By letters dated August 10, 2023, and August 21, 2023, the Commission rejected the application for filing deficiencies. The deficiencies were subsequently cured, and the application is deemed filed on August 28, 2023

² Fleming-Mason Energy's Request to Submit Matter to be Decided on Written Record (filed Jan. 23, 2024) at 1.

³ Attorney General's Notice Regarding Hearing (filed Jan. 23, 2024) at 1.

Having reviewed the request of both Fleming-Mason Energy and the Attorney General, the Commission finds that good cause has been established to amend the procedural schedule to allow for a briefing schedule and that the parties' requests to file written briefs on the matter should be granted. This will allow both parties to highlight their arguments and different positions.

IT IS THEREFORE ORDERED that:

1. The procedural schedule established on December 21, 2023, is amended.
2. Fleming-Mason Energy and the Attorney General's requests to file written briefs on the matter are granted.
3. All parties that choose to do so may file a memorandum brief in support of their respective positions on or before February 9, 2024.
4. All parties that choose to do so may file a reply brief, responding to issues raised in other parties' respective briefs, on or before February 16, 2024.
5. This case shall stand submitted for a decision by the Commission effective 12:01 a.m. Eastern Daylight Time on February 17, 2024.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ENTERED
JAN 31 2024 rcs
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


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