

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF KENERGY	)	CASE NO.
CORP. FOR A GENERAL ADJUSTMENT OF	)	2023-00276
RATES	)	

ORDER

On October 2, 2023, Kenergy Corp. (Kenergy) filed its application for an increase of rates based on a historical test year pursuant to KRS 278.180 and KRS 278.190. The application proposed that the new rates become effective on November 2, 2023.<sup>1</sup> On October 12, 2023, the Commission suspended the effective dates of the proposed rates for five months, up to and including April 1, 2024, and established a procedural schedule. On January 16, 2024, the procedural schedule was amended to establish a deadline by which the utility or any intervenor may request a hearing or that the case be submitted for decision based on the record, as well as extending the time for supplemental requests for information to Kenergy.<sup>2</sup> On February 14, 2024, Kenergy and the Attorney General of the Commonwealth of Kentucky, by and through the Office of Rate Intervention (Attorney General) waived a hearing but did request an opportunity to brief the matter.<sup>3</sup> On

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<sup>1</sup> Application at 8.

<sup>2</sup> Order (Ky. PSC Jan. 16, 2024).

<sup>3</sup> The Attorney General was the sole intervenor in the matter. On February 14, 2024, Kenergy and the Attorney General filed a joint motion waiving a hearing and requesting an opportunity to brief the issues.

February 26, 2024, the procedural schedule was amended again to allow for a briefing schedule.

On February 26, 2024, Kenergy filed notice, pursuant to KRS 278.190(2), stating that it intended to place the proposed change of rates set forth in its application into effect, subject to refund, effective April 2, 2024.<sup>4</sup>

Pursuant to KRS 278.190(2), a utility is permitted to place proposed rates into effect at the end of the suspension period, upon written notice to the Commission and subject to refund, pending a final Order. The Commission may require a utility that provides such notice to maintain records that will allow the utility, the Commission, or any customer to determine the amounts to be refunded, and to whom, in the event a refund is ordered upon final resolution of the case. Further, upon final resolution, the Commission may order a refund to the extent the rates approved in the final Order are lower than rates proposed by the utility and placed into effect pursuant to KRS 278.190(2).<sup>5</sup> Kenergy provided notice that it would place its proposed rates into effect pursuant to KRS 278.190(2) on April 2, 2024, with its bills rendered on or after that date.

IT IS THEREFORE ORDERED that, pursuant to KRS 278.190(2), Kenergy shall maintain its records in such manner as will allow it, the Commission, or any customer to determine the amounts to be refunded, and to whom, in the event a refund is ordered upon final resolution of this matter.

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<sup>4</sup> Kenergy's Notice of Intent to Place Rates into Effect Subject to Refund (filed Feb. 26, 2024) at 1.

<sup>5</sup> KRS 278.190(2).

PUBLIC SERVICE COMMISSION



Chairman



Vice Chairman



Commissioner

ENTERED

MAR 13 2024

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KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:



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