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**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of August 10, 2022***2020-00215**

RECEIVED: 07/17/20

FILED: 07/17/20

FINAL: 10/22/20

REOPENED:

SUSPENSION DATE:

CASE NATURE: Waiver pursuant to KRS 278.2219

**CASE CODE**

Other

**UTILITIES:**

Kenergy Corp.

**HEARINGS:**

09/11/20

Informal Conference

**INDEX OF EVENTS:**

06/25/21 POST CASE: j CHRISTOPHER HOPGOOD Kenergy Corp. Supplemental Notice of Filing Unredacted Data Responses and Testimony deemed not Confidential

11/23/20 POST CASE: j CHRISTOPHER HOPGOOD Kenergy Corp. Notice of Filing Unredacted Data Responses and Testimony Deemed Not Confidential

10/26/20 Order Entered: 1. Kenergy's September 3, 2020 and October 8, 2020 petitions are granted, 2. Kenergy's August 31, 2020, September 2, 2020, and September 18, 2020 petitions are granted in part and denied in part. 3. The designated materials contained in Item 4c of Kenergy's Response to Staff's First Request, Items 6a and 6c of Kenergy's Response to the Attorney General's first Request, and answers to questions 6, 9, 12, 13, and 15 in the Supplemental Testimony of Jeffery Hohn are not exempt from public disclosure and shall be placed in the public record and made available for public inspection. 4. If Kenergy objects to the Commission's determination that the requested information not be granted confidential treatment, it must seek either a rehearing pursuant to KRS 278.400 or judicial review of this Order pursuant to KRS 278.410. Failure to exercise either of these statutory rights will be deemed as agreement with the Commission's determination of which materials should be granted confidential treatment. 5. Within 30 days of the date of service of this Order, Kenergy shall file a revised version of Item 4c of Kenergy's Response to Staff's First Request, Items 6a and 6c of Kenergy's Response to the Attorney General's first Request, and answers to questions 6, 9, 12, 13, and 15 in the Supplemental Testimony of Jeffery Hohn for which confidential treatment was denied,

10/22/20 Order Entered: 1. Kenergy's motion for confidential protection for the testimony of Jonathan Chambers and the documents incorporated therein is granted in part and denied in part. 2. Kenergy's request for confidential treatment for Exhibit A and Exhibit B to Jonathan Chambers's testimony is granted. 3. Kenergy's request for confidential treatment for Jonathan Chambers's testimony is denied. 4. The designated information contained in Exhibit A and Exhibit B to Jonathon Chambers's testimony shall not be placed in the public record or made available for public inspection for five years or until further Order of this Commission. 5. Use of the designated material granted confidential treatment by this Order in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).

10/22/20 Final Order Entered: 1. Kenergy's July 17, 2020 application is granted in part and denied in part. 2. Kenergy's request for a waiver of KRS 278.2201, only to the extent required to make a one-time \$3 million capital investment in Kenect, is granted. 3. In the event Kenect decides not to pursue the fiber network project, Kenergy shall effectuate a return of the \$3 million capital investment from Kenect. 4. Kenergy's request for a waiver of KRS 278.2213(14) is denied. 5. This Order does not provide any additional waiver or deviation from the requirements of any statute or Commission regulation to Kenergy except those expressly stated herein. 6. This Order in no way affects the authority of the Commission over rates, services, or any matters whatsoever subject to the Commission's jurisdiction that may come before it, nor shall anything herein be construed as acquiescence in any matter claimed or asserted. The Commission retains jurisdiction over this subject matter and Kenergy to effectuate the provisions of this Order. 7. This case is closed and removed from the Commission's docket.

10/21/20 Kentucky Broadband and Cable Association Public Comment

10/20/20 Response E-mails to Multiple Comments

10/20/20 AI Mattingly Follow-up Public Comment

## Case Management System - KY Public Service Commission

*Regular Cases Before the Commission as of August 10, 2022*

10/19/20 Response E-mail to Larry and Hattie Miller  
 10/15/20 Response E-mail to Janna Ebelhar  
 10/13/20 Response E-mail to Sarah Spencer  
 10/13/20 Betty Hoover Public Comment  
 10/12/20 Response E-mails to Multiple Comments  
 10/09/20 Response E-mails to Multiple Comments  
 10/08/20 J. Michael West Office of the Attorney General OAGs Brief  
 10/08/20 j CHRISTOPHER HOPGOOD Kenergy Corp. Kenergy Corp.s Brief  
 10/08/20 j CHRISTOPHER HOPGOOD Kenergy Corp. Fourth Petition for Order Issuing Kenergy Crp. Confidential Protection  
 10/06/20 Response E-mails to Multiple Comments  
 10/05/20 j CHRISTOPHER HOPGOOD Kenergy Corp. Second Supplemental Responses to Commissions Staffs First Request for Information  
 10/05/20 Multiple Public Comments  
 10/02/20 James W. Gardner Kentucky Broadband and Cable Association Public Comments  
 10/02/20 Response E-mails to Multiple Comments  
 09/30/20 Sharon Sharp Public Comment  
 09/30/20 James Franklin Lebold Public Comment  
 09/29/20 J. Michael West Office of the Attorney General OAGs Notice Regarding Hearing  
 09/29/20 j CHRISTOPHER HOPGOOD Kenergy Corp. Waiver of Formal Evidentiary Hearing  
 09/28/20 Order Entered: 1. Kenergy's motion to reinstate procedural schedule is denied. 2. No later than October 1, 2020, parties may file a request for a hearing. 3. No later than October 8, 2020, parties may submit simultaneous Briefs on the issues, accompanied by a request for a decision based on the record. 4. Parties shall follow the procedural schedule established in this Order.  
 09/25/20 Response E-mails to Multiple Comments  
 09/23/20 Response E-mails to Multiple Comments  
 09/23/20 Multiple Public Comments  
 09/22/20 Response E-mails to Multiple Comments  
 09/22/20 Regina and Doug Rice-Hancock Public Comment  
 09/22/20 Perry A. Newcom Public Comment  
 09/18/20 J CHRISTOPHER HOPGOOD Kenergy Corp. Motion to Reinstate Procedural Schedule  
 09/18/20 Response E-mails to Multiple Comments  
 09/18/20 J CHRISTOPHER HOPGOOD Kenergy Corp. Public Supplemental Testimony of Jeff Hohn  
 09/18/20 J CHRISTOPHER HOPGOOD Kenergy Corp. Third Petition for Confidential Treatment  
 09/18/20 J CHRISTOPHER HOPGOOD Kenergy Corp. Responses to Attorney Generals 2nd Data Requests  
 09/18/20 JCHRISTOPHER HOPGOOD Kenergy Corp. Testimony of Jonathan Chambers  
 09/18/20 J CHRISTOPHER HOPGOOD Kenergy Corp. Joint Petition for Confidentiality of Testimony of Jonathan Chambers  
 09/17/20 Response E-mails to Multiple Comments  
 09/17/20 Order Entered: 1. Kenergy's motion for leave to file direct testimony is granted. 2. The direct testimony of Leslye Krampe filed with the Commission on August 28, 2020, is admitted into the record of this proceeding. 3. Kenergy shall file additional direct testimony in support of its application. 4. The procedural schedule established by the Commission's August 5, 2020 Order is suspended.  
 09/17/20 Dwayne G. Roby Public Comment  
 09/17/20 Melanie Onan Public Comment  
 09/15/20 Response E-mails to Multiple Comments  
 09/14/20 Memorandum dated 9/14/2020 for Informal Conference of 9/11/2020; Comments, if any, due within five days of receipt  
 09/14/20 Marganna Stanley Public Comment  
 09/14/20 Michael D. Lockett Public Comment  
 09/11/20 Response E-mails to Multiple Comments  
 09/11/20 j CHRISTOPHER HOPGOOD Kenergy Corp. Motions Regarding Testimony  
 09/11/20 Kyle Danhauer Public Comment  
 09/11/20 Sara B. Burden Public Comment  
 09/09/20 McLean County Farm Bureau Multiple Public Comments  
 09/08/20 Response E-mails to Multiple Comments  
 09/08/20 S. Scott Revlett Public Comment  
 09/08/20 Clay Elementary School Multiple Public Comments

**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of August 10, 2022*

09/08/20 Andy J. Ellis and Marceia D. Ellis Public Comment  
09/08/20 Hopkins County Regional Chamber of Commerce Public Comment  
09/08/20 Paul Barkley Hughes Public Comment  
09/04/20 Order Entered: 1. The informal conference will be held by videoconference on Friday, September 11, 2020, at 9:30 a.m. Eastern Daylight Time. 2. The procedural schedule established by an Order entered on August 5, 2020, is held in abeyance pending further Order by the Commission. 3. Commission Staff shall contact participants by electronic mail to provide details for joining the videoconference.  
09/04/20 James Phillips Public Comment  
09/04/20 Gary V. James Public Comment  
09/03/20 J. Michael West Office of the Attorney General OAGs Supplemental Data Requests  
09/03/20 J CHRISTOPHER HOPGOOD Kenergy Corp. Supplemental Response to Attorney Generals Data Requests  
09/03/20 J CHRISTOPHER HOPGOOD Kenergy Corp. Second Supplemental Petition for Confidential Treatment  
09/03/20 Union County Fiscal Court Public Comment  
09/03/20 Multiple Public Comments  
09/03/20 Multiple Public Comments  
09/02/20 Supplemental Petition for Confidential Treatment Kenergy Corp. Supplemental Petition for Confidential Treatment  
09/02/20 J CHRISTOPHER HOPGOOD Kenergy Corp. Supplemental Response to Staff Data Requests  
09/02/20 J CHRISTOPHER HOPGOOD Kenergy Corp. Motion for Informal Conference  
09/02/20 Response E-mails to Multiple Comments  
09/02/20 Lynn T. Buckman Public Comment  
09/02/20 Debbie Henshaw Public Comment  
09/02/20 Michelle Hambrick Public Comment  
09/02/20 Stephen Shouse Public Comment  
09/02/20 Matthew R. Ciecorka Public Comment  
09/02/20 Malcolm Campbell Public Comment  
09/02/20 Matthew L. Buckman Public Comment  
09/02/20 Amanda Meacham Coy Public Comment  
09/02/20 Henderson Audubon Board of Realtors Public Comment  
09/01/20 Response E-mails to Multiple Comments  
09/01/20 Kentucky County Judge/Executive Association Public Comment  
08/31/20 j CHRISTOPHER HOPGOOD Kenergy Corp. Petition for Confidentiality  
08/31/20 j CHRISTOPHER HOPGOOD Kenergy Corp. Responses to Attorney Generals Data Requests  
08/31/20 j CHRISTOPHER HOPGOOD Kenergy Corp. Response to Staffs Data Requests  
08/31/20 Response E-mails to Multiple Comments  
08/31/20 Daviess County Public Schools Board of Education Public Comments  
08/31/20 Gary S. Gaddis Public Comment  
08/31/20 Leesa Russell Public Comment  
08/31/20 Darlene Chyle Public Comment  
08/31/20 Jami Busbey Public Comment  
08/31/20 Tonia Duncan Public Comment  
08/31/20 Mike Creasey Public Comment  
08/31/20 Paul Monsour Public Comment  
08/31/20 Madisonville-Hopkins County Economic Development Corporation Public Comment  
08/28/20 J Christopher Hopgood Kenergy, Corp. Testimony of Leslye Krampe  
08/28/20 Buddy and Janice Elkin Public Comment  
08/27/20 Response E-mails to Multiple Comments  
08/27/20 Henderson County Fiscal Court Public Comment  
08/25/20 Response E-mails to Multiple Comments  
08/25/20 Tammy McConnell Public Comment  
08/24/20 J. Michael West Office of the Attorney General OAGs First Set of Data Requests  
08/21/20 Response E-mails to Multiple Comments  
08/20/20 Commission Staff's First Request for Information to Kenergy Corp.  
08/20/20 Response E-mails to Multiple Comments  
08/20/20 Deana Knotts Public Comment

DOC11R

**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of August 10, 2022*

08/20/20 Henry Yates Public Comment

08/20/20 Hancock County Industrial Foundation Public Comment

08/20/20 Michael D. Ward Public Comment

08/20/20 Dawn Etta Russell Public Comment

08/20/20 Patricia S. Yates Public Comment

08/20/20 Janet Yates Ward Public Comment

08/19/20 Response E-mails to Multiple Comments

08/17/20 Response E-mails to Multiple Comments

08/14/20 Response E-mails to Multiple Comments

08/10/20 Order Entered: 1. The motion of the Attorney General to intervene is granted. 2. The Attorney General shall be entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order. 3. The Attorney General shall comply with all provisions of the Commission's regulations, 807 KAR 5:001, Section 8, related to the service and electronic filing of documents. 4. The Attorney General shall adhere to the procedural schedule set forth in the Commission's August 5, 2020 Order and as amended by subsequent Orders. 5. Pursuant to 807 KAR 5:001, Section 8(9), within seven days of entry of this Order, the Attorney General shall file a written statement with the Commission that: a. Certifies that it, or its agent, possesses the facilities to receive electronic transmissions; and b. Sets forth the electronic mail address to which all electronic notices and messages related to this proceeding should be served.

08/05/20 Order Entered: 1. The procedural schedule set forth in the Appendix to this Order shall be followed. 2. a. Responses to requests for information shall be appropriately bound, tabbed, and indexed, with the original in paper medium and an electronic version to the Commission. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked. b. Each response shall be answered under oath, or for representatives of a public or private corporation or a partnership or an association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry. c. Any party shall make timely amendment to any prior response if it obtains information that indicates the response was incorrect when made or, though correct when made, is now incorrect in any material respect. d. For any request to which a party fails or refuses to furnish all or part of the requested information, that party shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

08/04/20 J. Michael West Office of the Attorney General OAG Motion to Intervene

07/17/20 J. Christopher Hopgood Kenergy Corp. Kenergy Application and testimony

07/01/20 Acknowledge Receipt of Filing

07/01/20 Kenergy Corp. Notice of Intent to File an Application for Approval of a Waiver pursuant to KRS 278.2219 Using Electronic Filing Procedures

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Total Number of Cases: 1