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# Case Management System - KY Public Service Commission

*Administrative Cases Before the Commission as of January 31, 2026*

**2008-00408**

RECEIVED: 11/13/08 FILED: 11/13/08 FINAL: 07/24/12 REOPENED: 10/28/11  
SUSPENSION DATE:

CASE NATURE: Federal Standards of the Energy Independence and Security Act of 2007

**CASE CODE**

Administrative

INTERVENORS: AG/CAC/KIUC/Trilliant

**HEARINGS:**

01/13/11	Informal Conference
10/21/09	Informal Conference
10/21/09	Informal Conference
07/08/09	Informal Conference
03/19/09	Informal Conference

**INDEX OF EVENTS:**

10/23/12	POST CASE: Duke Energy's Adoption of Cost-Effective Energy Efficiency Policies and Procedures
10/22/12	POST CASE: CGK Response to Commission Staffs Order of 072412
10/22/12	POST CASE: LGE's Response to Commission Staff's Order of 072412
10/22/12	POST CASE: Duke Energy Adoption of Cost Effective Energy Policies and Procedures FAX
10/22/12	POST CASE: Delta Natural Gas Response to 072412 Commission Staffs Order
10/19/12	POST CASE: Atmos Energy Notice of Compliance
08/22/12	POST CASE: KY Power Certification of Adoption of IRP Standard
08/20/12	POST CASE: East Kentucky Power response to Order of July 24, 12
08/17/12	POST CASE: Big Rivers Revised IRP Standard
08/15/12	POST CASE: LGE and KU Response to 072412 Order
08/10/12	POST CASE: Duke Energy affidavit of Janice D Hager in response to PSC Order
08/06/12	Order Entered: (1) Ordering paragraph 9 of the July 24, 2012 Order is amended to state as follows: All other provisions of the Commission's October 6, 2011 Order shall remain in full force and effect. (2) All other provisions of the July 24, 2012 Order that are not if conflict with the terms of this Order shall remain in full force and effect.
07/24/12	<p>Order Entered:</p> <p>1. The Commission's 10/6/12 Order is amended. the last sentence beginning on page 10 is revised to read:</p> <p>The Commission's decision herein on the four PURPA standards relating to Efficiency Investments, Consideration of Smart Grid Investments, and Smart Grid Information, as well as the non-PURPA waste energy standard, apply to all jurisdictional electric utilities that were made parties to this proceeding.</p> <p>2. The Kentucky IRP Standard, set forth in the Commission's 10/6/11 Order, is revised to read:</p> <p>Each electric utility shall integrate energy efficiency resources into its plans and shall adopt policies establishing cost-effective energy efficiency resources with equal priority as other resource options. In each integrated resource plan, certificate case, and rate case, the subject electric utility shall fully explain its consideration of cost-effective energy efficiency resources as defined in the Commission's IRP regulation (807 KAR 5:058).</p> <p>3. The revised Kentucky IRP Standard shall be adopted.</p> <p>4. The five major LDCs shall develop policies that ensure cost-effective energy efficiency is given the same priority as other cost-effective resources.</p> <p>5. The Commission's October 6, 2011 Order is amended, ordering paragraph 3 is modified to read:</p> <p>The Smart Grid Investment Standard shall not be adopted at this time, and a decision on whether or not to adopt that standard will be deferred until the completion of a new Smart Grid/Smart Meter administrative case.</p>
06/18/12	EKPC Counsel Notice of Change of Practice Affiliation and Change of Address
06/18/12	Duke Energy of Kentucky, Inc. Counsel Notice of Change of Practice Affiliation and Change of Address
01/13/12	Joint Brief
12/20/11	Joint Intervenors Joint Motion

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11/17/11	Order Entered: (1) The requests for rehearing filed by EKPC and the Movants are granted. (2) Within 60 days of the date of this Order, any party may submit a brief addressing any of the issues upon which rehearing has been granted. (3) Within 60 days of the date of this Order, each non-utility party may file and each utility party shall file, individually or jointly, a brief on the legal issues of whether adoption of the Kentucky IRP Standard and the EISA 2007 Smart Grid constitute the adoption of new policy.
10/28/11	East Kentucky Power Cooperative, Inc.'s Application for Rehearing of Commission's Order of October 6, 2011
10/28/11	POST CASE: Duke Energy's Notice of Entry of Appearance for David S. Samford
10/28/11	Movants Joint Motion for Clarification and Amendment of Order
10/06/11	Final Order: 1. PURPA standards set forth in EISA 2007 relating to IRP, electric & gas rate design, & gas energy efficiency are not to be adopted. 2. 5 major LDCs shall develop policies & procedures that ensure cost-effective energy efficiency is considered priority resource. 3. The Smart Grid Investment standard set forth in EISA 2007 is hereby adopted. 4. The Smart Grid Information standard set forth in EISA 2007 shall be considered in a separate matter. 5. A record of efforts of the Smart Grid Collaborative, as detailed in the Commission Staffs informal conference ("IC") memo of 11/02/2009, Staffs IC memo of 2/19/2010, & EON'S Joint Response on behalf of parties filed 4/29/2010, shall be incorporated into the record of the separate upcoming proceeding. 6. The Waste Energy standard is deferred & shall be considered at the time an application to apply the standard to a customer has been filed. 7. The Kentucky IRP Standard set forth herein shall be adopted by each jurisdictional electric generating utility. (8) Within 30 days, each jurisdictional electric generating utility shall submit a statement indicating adoption of Kentucky IRP Standard. (9) Within 90 days, the 5 major LDCs shall submit pertinent policies & procedures to ensure cost-effective energy efficiency is considered priority resource. (10) Within 30 days, each jurisdictional electric generating utility shall submit a statement indicating adoption of Smart Grid Investment standard as set forth in EISA 2007.
03/25/11	LG&E and KU's Joint Response report addressing issued in Staff's Smart Meter and Smart Grid Guidance Document dated 2/19/2010
03/25/11	Community Action Council and Attorney General's Joint Comments to letter dated 5/28/10
02/07/11	Memorandum dated 2/07/11 for Informal Conference of 1/13/11; Comments, if any, due within five days of receipt
01/05/11	PSC staff notice of informal Conference
12/07/10	Joint Motion for Informal Conference
05/28/10	Letter to Parties of Record in Response to Letter from Lonnie Bellar of E.ON U.S. LLC
04/29/10	E.ON's Joint Response Re: Smart Meter and Smart Grid Guidance document
03/26/10	KU and LG&E's Letter Stating Satisfied that Record is Complete
03/25/10	Memo to Parties clarifying Commission's Order issued March 17, 2010
03/17/10	Order Entered: Parties to this proceeding shall have 10 days from the date of this Order in which to submit a written request for hearing in this Matter: Any party requesting a hearing shall identify in its request the issues that it wishes to address at such hearing and the witnesses that it intends to call and shall further summarize the expected testimony of its witnesses: If no request are received within 10 days this matter shall stand for decision on the existing evidentiary record
02/19/10	Memorandum dated 2/19/2010 for Informal Conference of 10/21/2009
11/18/09	Joint Response to Commission's Intra-Agency Memo dated 110209
11/02/09	Memorandum dated 11/2 for Informal Conference of 10/21; Comments, if any, due within 14 days of receipt
10/15/09	Public Comments Letter from LEDergy Lighting Solutions
10/07/09	Order entered granting CAC's motion to intervene.
09/23/09	Community Action Council's motion for full intervention
09/11/09	10/21/09 - Commission Staff's Notice of Informal Conference
08/13/09	Letter to Wallace McMullen filing comments submitted by the Sierra Club into office record
08/12/09	Memorandum dated 8/11/09 for Informal Conference of 07/08/09; Comments, if any, due within five days of receipt
08/12/09	Delta Natural Gas' Supplemental Response to PSC Staff's Data Request dated 3/15/09
08/10/09	Sierra Club's Comments Regarding Case Involvement
08/04/09	Public Comments of Geoffrey M. Young
07/10/09	Duke Energy Sign-In Sheet for the July 2009 Technical Conference
07/02/09	Commission Staff's Notice of Informal Conference

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- 04/28/09 Delta Natural Gas' Response to PSC's Second Data Request  
04/27/09 KU and LG&E's Responses to Second Data Request of Commission dated 041309  
04/27/09 Columbia's Response to Staff's Data Requests dated 041309  
04/27/09 Duke Energy's Response to Staff's Second Set of Data Requests  
04/27/09 Atmos Energy's Responses to Second Set of Data Requests from Commission  
04/27/09 EKPC's Response to Second Data Request of Commission dated 041309  
04/27/09 Kentucky Power's Response to Staff's 041309 Data Requests  
04/27/09 Big Rivers, Jackson Purchase, Kenergy and Meade County RECC's Responses to Staff's Second Data Request  
04/22/09 Fleming-Mason Energy's Response to Question 10 in PSC's Second Data Request  
04/15/09 Duke Energy's Response to No. 120 from Staff First Set of Data Requests inadvertently omitted from 03/31/09 filing  
04/13/09 Second Data Request of Commission Staff  
04/06/09 Fleming-Mason's Responses to Data Request  
04/06/09 Verification Pages for Big Rivers, Jackson Purchase, Kenergy and Meade County RECC  
03/31/09 EKPC's Responses to Staff's Initial Data Request dated 03/16/09  
03/30/09 Big Rivers, Jackson Purchase, Kenergy and Meade County RECC's Responses to Commission's Initial Data Requests  
03/30/09 Atmos Energy's Responses to Commission's Initial Data Requests  
03/30/09 Columbia Gas of Kentucky's Responses to Staff's Initial Data Requests dated 03/16/09  
03/30/09 Kentucky Power Company's Response to Staff's 03/16/09 Data Requests  
03/30/09 EKPC's Response to Initial Data Request of Commission dated 03/16/09  
03/30/09 E.ON's Response to PSC Staff's Initial Data Request dated 3/16/09  
03/30/09 Duke Energy's Responses to Initial Requests for Information from Commission  
03/30/09 Delta Natural Gas' Response to PSC Staff's Initial Data Request dated 3/16/09  
03/25/09 Memorandum dated March 25, 2009 for Informal Conference of March 19, 2009; Comments, if any, due within five days of receipt of letter.  
03/20/09 Fleming-Mason Energy's Updated Testimony of Christopher S. Perry  
03/17/09 Order Entered 03/16/09:  
Duke Kentucky's Motion to Amend the Testimony of Todd W. Arnold is granted.  
Commission staff notice of informal Conference  
Initial Data Request of Commission Staff  
Commission staffs first set of information requests to the AG  
Order Entered: Kentucky Powers motion to amend the testimony of Errol K Wagner is granted  
03/09/09 Duke Energy's Motion to Amend Testimony of Todd W. Arnold  
02/24/09 Kentucky Power's Motion to Amend The Testimony of Errol K. Wagner  
02/09/09 Letter to Mr Lorch in response to Comments letter  
02/05/09 Order Entered 02/05/09:  
(1) the procedural schedule set forth in Appendix A shall be followed.  
(2) Responses to request for information shall be appropriately bound and include the name of the witness responsible for responding to questions with copies to all parties of record and an original and 7 copies to the Commission. Each response shall be answered under oath.  
(3) Any party filing testimony shall file an original and 7 copies.  
(4) At any public hearing in this matter, neither opening statements nor summarization of direct testimonies shall be permitted.  
(5) Any motions for extensions of time with respect to the schedule shall be made in writing and will be granted only upon a showing of good cause.  
(6) Nothing contained herein shall prevent the Commission from entering further Orders in this matter.  
02/04/09 Letter from Jeff Lorch Regarding Rate Structure  
01/14/09 Fax from Scott H. DeBroff of Rhoads & Simon, LLP correcting address for Service List  
01/12/09 Kentucky Power's Direct Testimony of Errol K. Wagner  
01/12/09 Joint Direct Testimony of David A. Spainhoward, G. Kelly Nuckols, Sanford Novick, and Burns E. Mercer  
01/12/09 Order Entered: Motion of Trilliant to intervene is granted: Trilliant shall be entitled to the full rights of a party and shall be served with the PSC Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order: Should Trilliant file documents of any kind with the PSC in the course of these proceedings Trilliant shall also serve a copy of said documents on all other parties of record

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01/12/09	KU and LG&E's Testimony of Lonnie E. Bellar
01/12/09	EKPC's Testimonies of Julia J. Tucker, Isaac S. Scott, and Robert J. Camfield
01/06/09	Fleming-Mason Energy's Testimony of Christopher S. Perry
12/16/08	(Original) Trilliant, Inc.'s Petition to Intervene
12/15/08	EKPC's Motion to Substitute Counsel
12/15/08	(FAX)Trilliant, Inc.'s Petition to Intervene and Out of State Certification Request Form (Originals/Copies to follow next day FedEx)
12/12/08	Delta Natural Gas Company's Notice of Filing Joint Direct Testimony of Glenn R. Jennings
12/11/08	Order Entered: (1) The Joint Motion for Extension of Time is granted. (2) All jurisdictional electric and natural gas utilities which are parties to this case shall file testimony, as directed by the November 13, 2008 Order, not later than January 12, 2009. (3) Any jurisdictional utility which has filed testimony in this matter by December 12, 2008, in compliance with the November 13, 2008 Order, may file any necessary supplementary testimony by January 12, 2009.
12/05/08	Notice of Joinder in Joint Motion for Extension of Time To File Testimony
12/03/08	Update of Joint Motion for Extension of Time - correct date should be 01/09/09
12/02/08	Joint Motion for Extension of Time to File Testimony
12/02/08	Order entered granting intervention to KIUC.
11/21/08	Order entered granting intervention to the Attorney General.
11/19/08	KIUC's Petition to Intervene
11/14/08	Attorney General's Motion To Intervene
11/13/08	Order Entered: (1) This proceeding is opened to permit the Commission to consider the requirements of the federal Energy Independence and Security Act of 2007. (2) All jurisdictional electric utilities are made parties to this proceeding. (3) All jurisdictional electric utilities shall, individually or jointly, file an original and 10 copies of testimony as directed by this Order, no later than December 12, 2008, with copies to each party of record. (4) All five major jurisdictional natural gas utilities are made parties to this proceeding. (5) All five major jurisdictional natural gas utilities shall file an original and 10 copies of testimony as directed by this Order, no later than December 12, 2008, with copies to each party of record. (6) All requests for intervention shall be filed within 30 days of the date of this Order. (7) Public comments by non-parties shall be in writing and shall be filed prior to the hearing or presented at the hearing.

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Total Number of Cases: 1