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Case Management System - KY Public Service Commission

Regular Cases Before the Commission as of November 06, 2026

2011-00036

RECEIVED: 03/01/11 FILED: 03/01/11 FINAL: 02/21/13 REOPENED: 12/06/11
SUSPENSION DATE: 08/31/11

CASE CODE
General Rates

UTILITIES:
Big Rivers Electric Corporation

INTERVENORS: Alcan-Brown/Hopgood-

HEARINGS:

09/12/12	Formal Hearing
08/28/12	Formal Hearing
08/16/12	Informal Conference
03/01/12	Teleconference
03/01/12	Teleconference
07/27/11	Formal Hearing
07/26/11	Formal Hearing

INDEX OF EVENTS:

01/30/15	POST CASE: Big Rivers Electric Corp Semi-Annual Demand Side Management Report
07/31/14	POST CASE: BREC Semi Annual Demand-Side Management Report
01/31/14	POST CASE: Big Rivers Electric Corporation's Semi-Annual Demand-Side Management Report Pursuant to PSC Order of 11-17-11
07/30/13	POST CASE: BREC Biannual Demand Side Management Report Pursuant to Commission's Order of November 17, 2011
02/21/13	Order Entered: 1. Big Rivers is authorized to bill its member cooperatives a total of $4,355,168.61 over the period March 2013 through July 2013 as detailed in its February 8, 2013 filing. 2. Within 20 days of the date of this Order, Big Rivers shall file with the Commission, using the Commission’s electronic Tariff Filing System, new tariff sheets setting forth the details of the billings approved in ordering paragraph 1 above and reflecting their effective date and that they were authorized by this Order.
02/11/13	Big Rivers Response to PSC Order dated January 29, 2013
02/08/13	Big Rivers Response to Order dated January 29, 2013
01/31/13	POST CASE: Big Rivers Electric Corporation Demand Side Management Report pursuant to Commission's November 17, 2011
01/29/13	Order Entered: 1. The November 17, 2011 Rate Order is modified to (a) grant Big Rivers an additional increase in annual revenues of $1,042,535 above the revenue increase granted therein; (b) reflect the revised allocation of the $1 million DSM expense; and (c) correct the finding related to the financial model Big Rivers used in conjunction with the Unwind Transaction, as discussed in the findings above. 2. The rates in the appendix to this Order are approved for service rendered by Big Rivers on and after September 1, 2011. 3. Big Rivers' request to modify the November 17, 2011 Order to include depreciation expense on plant contained in its year-end Construction Work In Progress is denied. 4. KIUC's requests to modify the November 17, 2011 Order to adopt the KIUC proposed depreciation rates and to revise the revenue allocation to eliminate the Rural class subsidy are denied. 5. Within 20 days of the date of this Order, Big Rivers shall file with this Commission, using the Commission's electronic Tariff Filing System, new tariff sheets setting forth the rates and charges approved herein and reflecting their effective date and that they were authorized by this Order. 6. Not later than February 8, 2013, Big Rivers shall file the information described in the Revenue Recovery Mechanism section of this Order.
10/23/12	Memo dated 10/19/2012 Regarding Ex Parte Issue
10/19/12	KIUC Response to Big Rivers Letter Regarding Ex Parte Communication
10/18/12	Big Rivers Electric Corporation Letter Regarding Ex Parte Communication
10/02/12	Brief on Rehearing of KIUC

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10/01/12	Attorney General's Post-Hearing Brief on Rehearing
10/01/12	Kenergy's Brief
10/01/12	Big Rivers Rehearing Brief
10/01/12	JPEC's Notice of Election To Not File A Brief
09/28/12	JPEC's Notice of Election to Not File A Brief
09/27/12	Notice of Filing Hearing Documents
09/21/12	Memorandum dated 9/21/12 for Informal Conference of 8/16/12; Comments, if any, due 10/1/12
09/19/12	Big Rivers Responses to AG's 091212 Hearing Request for Legal Invoices
09/10/12	Big Rivers Affidavit of Publication
09/04/12	Big Rivers Response to 082212 Calvert City Lake News Letter
08/27/12	The Lake News Response to Big Rivers Notice of Publication
08/23/12	Order Entered: 1. KIUC's motion to reschedule the August 28, 2012 hearing is granted. 2. The hearing now scheduled on August 28, 2012 is rescheduled to September 12, 2012 at 10:00 a.m. Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky for the purpose of cross-examination of witnesses of Big Rivers and Intervenors. 3. Big Rivers shall publish notice of this hearing in compliance with KRS 424.300. 4. The official record of these proceedings shall be by video only. 5. Any request to cancel or postpone this hearing shall be made by motion filed with the Commission at least one week before the hearing is scheduled to commence.
08/21/12	KIUC motion to amend procedural schedule
08/20/12	Big Rivers Professional Summary
08/15/12	Commission Staff's Notice of Informal Conference
08/15/12	Big Rivers Request for Informal Conference
08/14/12	Big Rivers Request for Telephonic Informal Conference (FAX)
08/10/12	Order Entered: 1. Big River's motion to submit the pending rehearing issues without a hearing is denied. 2. A hearing shall be held on August 28, 2012 at 10:00 a.m., Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky for the purpose of cross-examination of witnesses of Big Rivers and Intervenors. 3. Big Rivers shall publish notice of this hearing in compliance with KRS 424.300. 4. The official record of these proceedings shall be by video only. 5. Any request to cancel or postpone this hearing shall be made by motion filed with the Commission at least one week before the hearing is scheduled to commence .
07/30/12	Big Rivers DSM Report 073112
07/11/12	JPEC Response to Big Rivers Motion to Revise Procedural Schedule
07/05/12	Kenergy Response to Motion to Revise Procedural Schedule
07/03/12	Big Rivers Motion to Amend Procedural Schedule
06/15/12	Big Rivers Electric Rehearing Rebuttal Testimony
05/30/12	KIUC RESPONSE TO COMMISSION STAFF AND BIG RIVERS FIRST REQUEST FOR INFO
05/14/12	Commission Staff's First Request for Information on Rehearing to Kentucky Industrial Utility Customers, Inc.
05/14/12	Big Rivers Request for Information to KIUC
04/27/12	KIUC Supplemental Rebuttal Testimony and Exhibits of Lane Kollen
04/12/12	Order Entered: 1. The Rehearing Order entered December 8, 201 1 is modified to the extent that the issues now subject to investigation in this proceeding shall include the four Big Rivers issues enumerated in that Order and the three KlUC issues that the Rate Order: (1) should have eliminated interclass rate subsidies; (2) should have exempted all non-rural customers from payment of any DSM-related expenses; and (3) should have accepted the KlUC proposed depreciation rates. 2. The procedural schedule set forth in the Appendix attached hereto and incorporated herein shall be followed in this case and the schedule appended hereto shall supersede the schedule appended to the March 7, 2012 Order. 3. Nothing contained herein shall prevent the Commission from entering further Orders in this matter
04/05/12	KIUC'S DIRECT REHEARING TESTIMONY & EXHIBITS OF LANE KOLLEN & STEPHEN BARON
03/22/12	Big Rivers Response to Commission Staff and KIUC with CD and Motion
03/21/12	Memorandum dated 3/21/2012 for Informal Conference of 3/01/2012; Comments, if any, due within five days of receipt

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03/12/12	Commission Staff's First Request for Information on Big Rivers Electric Corporation's Rehearing Request
03/12/12	KIUC's 1st Set of DR on Rehearing to Big Rivers Electric
03/07/12	Order Entered: (1) The procedural schedule set forth in the Appendix shall be followed. (2) All provisions of the Commission's March 17, 2011 Order shall remain in effect and be followed by the parties. (3) Nothing contained herein shall prevent the Commission from entering further Orders in this matter.
02/24/12	COMMISSION STAFF'S NOTICE OF TELEPHONIC INFORMAL CONFERENCE
02/14/12	Order Entered: (1) KIUC's motion to dismiss is denied. (2) Within ten days of the date of this Order, Commission Staff shall issue a notice scheduling an informal telephonic conference to discuss a procedural schedule for processing this rehearing.
01/30/12	Big Rivers Response to Commission Order of 111711
01/13/12	Order Entered: No informal conference regarding a procedural schedule shall be convened until the Commission adjudicates KIUC's pending motion to dismiss.
01/09/12	KIUC Reply to Big Rivers Response of KIUC Motion to Dismiss Rehearing
01/05/12	Big Rivers Electric pre filed Direct Testimony on rehearing of Mark Hite and John Wolfram
12/29/11	Big Rivers Response to KIUC's Motion to Dismiss Rehearing and Vacate Order of 120811
12/28/11	Attorney General's Comments RE Commission's Continuing Jurisdiction
12/27/11	Big Rivers Notice of Electronically Filed Tariff on 122011
12/22/11	Letter to dated 12/20/2011 Tyson Kamuf granting in part and denying in part Big Rivers' petition for confidentiality filed 4/15/11 for protection of certain information
12/20/11	Order Entered: All parties except KIUC shall file, individually or jointly, no later than December 29, 2011, response memoranda of law on the issue of jurisdiction raised by KIUC, and KIUC shall file no later than January 9, 2012 a reply memorandum.
12/14/11	Order Entered: (1) Finding No. 1 of the Commission's Order of November 17, 2011 is amended to read as follows: 1. The rates set forth in Appendix A to this Order are the fair, just, and reasonable rates for Big Rivers to charge for service rendered on and after September 1, 2011. (2) Ordering Paragraph 2 of the Commission's Order of November 17, 2011 is amended to read as follows: 2. The rates in Appendix A to this Order are approved for service rendered by Big Rivers on and after September 1, 2011.
12/14/11	KIUC's Motion to Dismiss Rehearing and to Vacate Order of 120811
12/09/11	Big Rivers Notice of Electronically Filed Tariff on 120711
12/08/11	Order Entered: (1) Big Rivers' petition for rehearing is granted. (2) Big Rivers shall file direct testimony in verified prepared form in support of its rehearing issues no later than January 5, 2012.
12/06/11	Big Rivers Electric Petition for Rehearing
11/17/11	Final Order Entered: 1) The rates & charges proposed by Big Rivers are denied. 2) The rates in Appendix A are approved for service rendered by Big Rivers on & after the date of this Order. 3) Within 20 days, Big Rivers shall file new tariff sheets setting forth the rates & charges approved herein. 4) Within 60 days, Big Rivers shall refund with interest all amounts collected for service rendered from September 1, 2011 through the date of this Order that are in excess of the rates set out in Appendix A. 5) Big Rivers shall pay interest on refunded amounts at the average of the Three-Month Commercial Paper Rate as reported in the Federal Reserve Bulletin and the Federal Reserve Statistical Release on the date of this Order. 6) Within 75 days, Big Rivers shall submit a written report to the Commission in which it describes its efforts to refund all monies collected in excess of the rates that are set forth in Appendix A. 7) Big Rivers shall begin using the depreciation rates approved herein effective with the first day of the first calendar month beginning after the date of this Order. 8) Big Rivers shall perform a new depreciation study within five years, or the filing of its next rate case, whichever is earlier. 9) Big Rivers shall file reports on its DSM and energy-efficiency programs with the Commission as described in this Order at six-month intervals, with the first report to be filed no later than January 31, 2012.
10/11/11	Letter to Kurt Boehm granting KIUC's petition for confidentiality filed 8/4/11 for protection of certain information
10/11/11	Letter to Michael Kurtz granting KIUC's petition for confidentiality filed 8/11/11 for protection of certain information
10/11/11	Letter to Kurt Boehm granting KIUC's petition for confidentiality filed 7/26/11 for protection of certain information.

10/11/11	Letter to Kurt Boehm granting KIUC's petition for confidentiality filed 7/14/11 for protection of certain information.
10/07/11	Letter to James Miller granting Big River's petition for confidentiality filed 7/6/11 for protection of certain information.
09/16/11	Big Rivers Letter of Record RE: Electronic Tariff Filing
09/06/11	Order Entered: (1) Big Rivers 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 due, in the event a refund is ordered upon final resolution of this matter. (2) Within 15 days of the date of this Order, Big Rivers shall file its tariffs setting forth the rates it is placing in effect.
09/02/11	Big Rivers Electric's Notice of Intent to Implement Rate Increase
09/02/11	Big Rivers Electric's Notice of Intent for Rates Effective 090111 (FAX)
08/26/11	Big Rivers Electric Updated Responses to Certain Requests for Information
08/18/11	Big Rivers Supplemental Responses to Certain Requests for Information
08/12/11	JPEC's Post-Hearing Brief
08/11/11	Kenergy Corporation's Brief
08/11/11	KIUC's Main Brief with Confidential Pages
08/11/11	Big Rivers Post-Hearing Brief and Appendices
08/11/11	Attorney General's Post-Hearing Brief
08/11/11	Jackson Purchase Energy Corporation's Post-Hearing Brief (FAX)
08/09/11	Notice of Filing
08/08/11	Kenergy's Notice of Filing
08/04/11	Big Rivers response to the information requested at the Hearing
08/04/11	Public Version of the response of KIUC to Big Rivers request no 1 and 2 AG Hearing data request no 1 and PSC staff Hearing request no 1 also petition for confidential treatment of info
08/02/11	Big Rivers 5th Supplemental Response to Commission Staff's Initial Request for Info dated 021811 Item 56
07/28/11	Letter to James Miller granting Big Rivers' petition for confidentiality filed 6/06/11 for protection of certain information
07/26/11	KIUC's Revised Response to Item #41 of Big River's Data Request with Confidential Petition
07/25/11	Order Entered: 1. Big Rivers' motion to compel KlUC responses to Item No. 1 is denied as moot. 2. Big Rivers' motion to compel KlUC responses to Item No. 41 is granted and KlUC shall file no later than 5:OO p.m. Eastern Daylight Time on July 26, 2011 the requested information and serve copies on the parties along with any necessary nondisclosure agreement.
07/22/11	Kenergy's Correction to Jack Gaines Exhibit to Rebuttal Testimony
07/22/11	Big Rivers Reply to KIUC's Response to Big Rivers Motion to Compel
07/22/11	KIUC's Surrebuttal Testimony of Stephen J. Baron
07/21/11	Big Rivers Tear Sheets and Affidavits of Publication of Notice of 072611 Hearing
07/21/11	Big Rivers Revised Tables of Contents for Direct Testimonies of Bailey, Spen and Kelly
07/21/11	Big Rivers Fourth Supplemental Response to Item 56 of Commission Staff's Initial Request for Info
07/21/11	KIUC's Response to Big Rivers Motion to Compel
07/18/11	Order Entered: KIUC's motion for a deviation is granted and the above enumerated responses to data requests need to be filed in paper format.
07/18/11	Big Rivers Supplemental Responses to Various Info Requests
07/14/11	KIUC's Supplemental Response to Big Rivers 1st DR and Confidential Petition with Confidentiality Agreement
07/13/11	Order Entered: (1) Kenergy's motion for authority to file rebuttal testimony is granted, and the rebuttal attached to its motion is accepted for filing as of the date of this Order. (2) KIUC's motion to strike the Kenergy rebuttal is denied. (3) Kenergy shall fully cooperate with KIUC regarding discovery, and Kenergy shall respond expeditiously to any reasonable discovery requests. (4) Any KIUC sur-rebuttal testimony in response to the Kenergy rebuttal shall be in verified prepared form, shall be served by KIUC electronically on all parties no later than 11:00 a.m. on July 25, 2011, and shall be filed with the Commission no later than 9:00 a.m. on July 26, 2011.
07/12/11	Big Rivers Motion to Compel and Response to Kenergy's Motion to Submit Rebuttal Testimony
07/12/11	KIUC's Response to Kenergy's Motion to Submit Rebuttal Testimony and KIUC's Motion to Strike Gaines Testimony

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07/12/11	KIUC's Petition for Confidential Treatment
07/06/11	Kenergy's Motion to Submit Rebuttal Testimony
07/06/11	Big Rivers Rebuttal Testimony and Confidential Petition
07/01/11	Big Rivers Response to 4th Info Request of Commission Staff dated 062211
07/01/11	KIUC's Motion for Leave to Amend Testimonies of Charles King, Lake Kollen and Stephen Baron filed 062311
06/30/11	KIUC's Responses to Commission Staff's Initial Information Requests, Big Rivers' First Data Request and Motion to Deviate
06/30/11	Big Rivers Notice of Hearing
06/29/11	Big Rivers Supplemental Responses to PSC, AG and KIUC (Hard Copies) and Motion for Deviation
06/24/11	Big Rivers' Supplemental Responses to Commission Staff, AG, and KIUC
06/23/11	KIUC's Responses to Big Rivers 1st DR with Confidential Attachments
06/23/11	KIUC's Responses to Commission Staff's Initial Information Request
06/22/11	Fourth Information Request of Commission Staff to Big Rivers Electric Corporation
06/20/11	Order Entered: (1) A hearing shall be held on July 26, 2011 at 10:00 a.m. in Hearing Room 1 of the Commission's offices. (2) Big Rivers Electric Corporation shall publish notice of this hearing in compliance with KRS 424.300. (3) The official record of these proceedings shall be by video only. (4) Any request to cancel or postpone shall be made by motion filed with the Commission at least one week before the hearing is scheduled to commence.
06/10/11	KIUC's Revised Public Redacted Version of Testimony and Exhibits with Confidential Seal to JCline
06/09/11	Commission Staff's Initial Information Request to Kentucky Industrial Utility Customers, Inc.
06/09/11	Big Rivers First Request for Information to KIUC
06/06/11	Big Rivers' Revised Response to Item 43 of KIUC’s Request and Petition for Confidential Protection
06/02/11	Big Rivers Request to Withdraw Confidential Protection Relating to Responses to AG 1-19, AG 1-35 and KIUC 1-121
06/01/11	KIUC's Sworn Verifications for Direct Testimonies and Exhibits
05/25/11	Letter to James Miller granting Big River’s petition for confidentiality filed 5/11/11
05/24/11	KIUC's Direct Testimony and Exhibits with Confidential to JCline
05/11/11	Big Rivers Electric Corporation's Responses to Commission Staff's Third Request for Information and Kentucky Industrial Utility Customer Inc.'s Second Data Request and Petition for Confidential Treatment
05/11/11	Big Rivers Electric Corporation's Supplemental Responses to Commission Staff, Attorney General, and Kentucky Industrial Utility Customers, Inc. and Petition for Confidential Treatment
04/29/11	Big Rivers 1st Supplemental Responses to AG's First Request of Information
04/29/11	KIUC's Public Redacted Version of 2nd Set of Data Requests to Big Rivers
04/28/11	Third Information Request of Commission Staff to Big Rivers Electric Corporation
04/21/11	Letter to James Miller denying Big River Electric Corporation's petition for confidentiality filed 3/18/11 for protection of certain information
04/15/11	Big Rivers Response to KIUC's Initial Request for Information
04/15/11	Big Rivers Electric's Updated Responses to Commission Staff's First Information Requests
04/15/11	Big Rivers Response to AG's Initial Request for Information
04/15/11	Big Rivers Response to Commission Staff's 2nd Request for Information
04/15/11	Big Rivers Electric's Petition for Confidential Protection
04/11/11	Big Rivers Reply to AG's Response to Petition for Confidential Treatment dated 031811
04/08/11	Kenergy's Request to add Sandy Novick to Service List
04/04/11	KIUC's First Set of Data Requests to Big Rivers Electric
04/04/11	Attorney General's Response in Opposition to Applicant's Petition for Confidentiality
04/01/11	Order Entered: (1) The motion of Kenergy to intervene is granted. (2) Kenergy shall be entitled to the full rights of a party. (3) Should Kenergy file documents with the Commission, Kenergy shall also serve a copy of said documents on all other parties of record.
04/01/11	Order Entered: (1) The motion of Jackson Purchase to intervene is granted. (2) Jackson Purchase shall be entitled to the full rights of a party. (3) Should Jackson Purchase file documents with the Commission, Jackson Purchase shall also serve a copy of said documents on all other parties of record.

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04/01/11	Second Information Request of Commission Staff to Big Rivers Electric Corporation
03/30/11	Attorney General's Initial Data Requests Public Redacted Version
03/25/11	Jackson Purchase Energy Corporation's Motion to Intervene
03/18/11	Big River Electric's Petition for Confidential Protection
03/18/11	Big Rivers Response to Commission Staff's Initial Request for Information dated 021811
03/17/11	Order Entered: (1) Big Rivers' proposed rates are suspended for five months, up to and including August 31, 2011. (2) The procedural schedule set forth in Appendix A shall be followed. (3) a. All requests for information shall be appropriately bound. (3) b. Each response shall be answered under oath. (3) c. A party shall make timely amendment to any prior response. (3) d. Any request a party fails to furnish the requested information, that party shall provide a written explanation. (4) Any party filing testimony shall file an original and 10 copies with the Commission, with copies to all parties of record. (5) Big Rivers shall give notice of the hearing in accordance with the provisions set out in 807 KAR 5:011, Section 8(5). (6) At any public hearing, neither opening statements nor summarization of direct testimonies shall be permitted. (7) Any objections or motions shall be filed upon four business days notice, in writing. (8) Motions for extensions of time shall be made in writing. (9) Nothing contained herein shall prevent the Commission from entering further Orders in this matter.
03/17/11	Request from David Brown to be added to Service List
03/09/11	Motion to intervene of Kenergy Corp.
03/08/11	No Deficiency Letter
03/04/11	Order Entered: The motion is granted and the Attorney General is hereby made a party to these proceedings.
03/02/11	Acknowledge Receipt of Filing
03/01/11	APPLICATION OF BIG RIVERS ELECTRIC CORPORATION FOR A GENERAL ADJUSTMENT IN RATES
02/28/11	Order Entered: (1) The Petition of KIUC to intervene is granted. (2) KIUC shall be entitled to the full rights of a party. (3) Should KIUC file documents of any kind with the Commission, KIUC shall also serve a copy of said documents on all parties of record.
02/25/11	Order Entered: Douglas L. Beresford is admitted pro hac vice for the purpose of representing Big Rivers Electric Corporation in the proceeding provided that James M. Miller, Sullivan, Mountjoy, Stainback and Miller, P.S.C. or another member of the Kentucky Bar Association, acts as co-counsel and is present at any and all proceedings before this Commission
02/24/11	Attorney General's Motion to Intervene
02/23/11	KIUC's Petition to Intervene
02/21/11	Big Rivers Motion for Admission of Douglas L. Beresford to Pro Hac Vice
02/18/11	First Information Request of Commission Staff to Big Rivers Electric Corporation
01/31/11	Acknowledge Receipt of Filing
01/31/11	Big Rivers Electric Corporation's Notion of Intent to File General Rate Adjustment

Total Number of Cases: 1