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# Case Management System - KY Public Service Commission

*Regular Cases Before the Commission as of February 19, 2026*

**2013-00221**

RECEIVED: 06/12/13    FILED: 06/12/13    FINAL: 08/14/13  
SUSPENSION DATE:

REOPENED:

**CASE CODE**

Contracts  
Declaratory Order

**UTILITIES:**

Big Rivers Electric Corporation  
Kenergy Corp.

**HEARINGS:**

07/30/13	Formal Hearing
07/12/13	Informal Conference
06/20/13	Informal Conference

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02/10/20	POST CASE: Kenergy Corp. Transaction and Expense Report
08/08/19	POST CASE: Kenergy Corp. Transaction and Expense Report
07/18/19	POST CASE: Big Rivers Electric Corporation Response to Attorney General Initial Request for Information and KIUC, Inc. First Request for Information
06/18/19	Order Entered: 1. BREC's July 11, 2013 petition for confidential treatment is granted in part and denied in part. 2. BREC's request for confidential treatment for the designated materials in BREC's responses to the Attorney General's and KIUC's respective Requests for Information is denied as moot. 3. BREC's request for confidential protection for the electric grid reliability study is granted. 4. Within 30 days of the date of this Order, BREC shall file revised pages reflecting as unredacted the designated materials in BREC's response to the Attorney General's and KIUC's respective Requests for Information that have been denied confidential treatment. 5. The designated materials in the July 11, 2013 petition for which confidential protection was denied shall not be placed in the public record for 30 days following the date of this Order to allow BREC to seek any remedy afforded by law. 6. The designated materials pertaining to the electric grid reliability study shall not be placed in the public record or made available for public inspection for an indefinite period, or until further Orders of this Commission. 7. Use of the designated materials pertaining to the electric grid reliability study in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9). 8. BREC shall inform the

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Commission if the designated materials pertaining to the electric grid reliability study becomes publicly available or no longer qualify for confidential treatment.

05/16/19 Order Entered: BREC's motion is granted.

05/15/19 POST CASE: Big Rivers Electric Corporation Quarterly Update in Compliance with Ordering Paragraph 5

05/13/19 POST CASE: Kenergy Corp. Transaction and Expense Report

02/14/19 POST CASE: Big Rivers Electric Corporation Quarterly Update in Compliance with Ordering Paragraph 5

02/13/19 POST CASE: Kenergy Corp. Transaction and Expense Report pursuant to Order Item 5

11/14/18 POST CASE: Kenergy Corporation Transaction and Expense Report pursuant to Order Item 5

11/08/18 POST CASE: Big Rivers Electric Corporation Quarterly Update in Compliance with Ordering Paragraph 5

08/14/18 POST CASE: Big Rivers Electric Corporation Transaction and Expense Report pursuant to Order Item 5

08/10/18 POST CASE: Kenergy Corporation Transaction and Expense Report pursuant to Order Item 5

05/15/18 POST CASE: Big Rivers Electric Corporation Transaction and Expense Report pursuant to Order Item 5

05/11/18 POST CASE: Kenergy Corporation Transaction and Expense Report pursuant to Order Item 5

02/14/18 POST CASE: Big Rivers Electric Corporation Motion to be Relieved of Reporting Requirement

02/14/18 POST CASE: Kenergy Corporation Transaction Agreements and Expense Reports

02/14/18 POST CASE: Big Rivers Electric Corporation Quarterly Update in Compliance with Ordering Paragraph 5

11/14/17 POST CASE: Big Rivers Electric Corporation Quarterly Update

11/13/17 POST CASE: Kenergy Corporation Transaction Agreements and Expense Reports

08/14/17 POST CASE: Big Rivers Electric Corp. Quarterly Update

08/14/17 POST CASE: Kenergy Corp. Revenues and Expenses Reports

08/14/17 POST CASE: Kenergy Corp. Revenues and Expenses Reports

05/15/17 POST CASE: Big Rivers Electric Corp. Quarterly Update

02/14/17 POST CASE: Big Rivers Electric Corp. Quarterly Update

02/13/17 POST CASE: Kenergy Corp. Revenues and Expenses Reports

11/15/16 POST CASE: Big Rivers Electric Corp. Quarterly Update

11/07/16 POST CASE: Kenergy Corp. Revenue and Expenses Report per Order

08/12/16 POST CASE: Big Rivers Electric Corp. Quarterly Update in Compliance with Ordering Paragraph 5

08/04/16 POST CASE: Kenergy Corp. Revenue and Expense Report in Accordance with Ordering Paragraph 5

05/16/16 POST CASE: Kenergy Corp. Financial Reports in Compliance with Commission's Order

05/13/16 POST CASE: Big Rivers Electric Corp. Quarterly Update

02/15/16 POST CASE: Reports detailing revenues and expenses of Kenergy in response to Order of Dec 31, 2015

02/12/16 POST CASE: Big Rivers Electric Corp. Quarterly Report

11/16/15 POST CASE: Kenergy Corp. Financial Reports in Compliance with Commission's Order

11/12/15 POST CASE: Big Rivers Electric Corp. Quarterly Update in Compliance with Ordering Paragraph 5

08/19/15 POST CASE: Kenergy Corp. Century-Sebree Revenues and Expenses Report

08/14/15 POST CASE: Big Rivers Electric Corp. Quarterly Update in Compliance with 8-14-13 Order

05/18/15 POST CASE: Kenergy Corp. Expense and Revenue Report for Century-Hawesville Transaction

05/15/15 POST CASE: Big Rivers Electric Corp. Updated Report

02/13/15 POST CASE: Big Rivers Electric Corp Quarterly Update

02/11/15 POST CASE: Kenergy Corp. Century-Hawesville Financial Report

11/14/14 POST CASE: Big Rivers Quarterly update

11/14/14 POST CASE: Kenergy report detailing revenues and expenses in response to PSC order

08/14/14 POST CASE: Kenergy Corp. Report of Revenues & Expenses Incurred with Century-Hawesville Agreement

08/14/14 POST CASE: Big Rivers Electric Quarterly Update Pursuant to PSC Order of 08-14-2013 1

05/15/14 POST CASE: Big Rivers Corporation Quarterly Update Pursuant to PSC Order of 08-14-2013

05/15/14 POST CASE: Kenergy Corp. Report of Revenues & Expenses Incurred with Century-Hawesville Agreement

02/14/14 POST CASE: Kenergy Corp Century Transaction Agreement Revenue and Expense Report for the Quarter Ending 123113.

02/14/14 POST CASE: Big Rivers Electric Corporation's Century Transaction Agreement Revenue and Expense Report for the Quarter Ending 12-31-13

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11/14/13 POST CASE: Big Rivers Electric Corporation's Century Transaction Agreement Revenue and Expense Report for the Quarter Ending 09/30/13

11/14/13 POST CASE: Kenergy Corp's Century Transaction Agreement Revenue and Expense Report for the Quarter Ending 09/30/13.

08/26/13 POST CASE: Big River and Kenergy response to order of Aug 14, 13 paragraph 6

08/14/13 Final Order Entered: (1) The Century Transaction Agreements are approved for service on and after August 20, 2013. (2) The Alternate Service Agreements are approved for service on and after August 20, 2013 to be effective only in the event that the Century Transaction Agreements are not executed by the parties thereto by August 20, 2013 or, if they are executed, they are terminated earlier than December 31, 2023. (3) The Applicants' request for a declaratory order is granted as discussed in the findings above. (4) The Commission retains all jurisdiction under KRS Chapter 278 relating to the rates and service to be provided by Kenergy to Century Kentucky under the Century Transaction Agreements, including the jurisdiction to resolve all rate and service disputes arising under each of the agreements approved by this Order. (5) Big Rivers and Kenergy shall individually file within 45 days of the end of each calendar quarter a report detailing the revenues and expenses incurred by each in connection with each component of the Century Transaction Agreements. (6) Big Rivers and Kenergy shall file, within 15 days of the date of this Order, executed copies of the Century Transaction Agreements and the Alternate Service Agreements. (7) Any documents filed pursuant to ordering paragraph 5 of this Order shall reference the number of this case and shall be retained in the utility's general correspondence file

08/12/13 Reply of KIUC to the responses of Big Rivers, Kenergy and Century to KIUC'S motion to take administrative notice

08/09/13 Kenergy Corp and BREC Joint Response to the Motion of KIUC to Take Administrative Notice

08/08/13 Century Aluminum of Kentucky Response to Motion of KIUC to Take Administrative Notice

08/08/13 KIUC Motion To Take Administrative Notice

08/06/13 KIUC Brief

08/05/13 Attorney General's Post Hearing Brief

08/05/13 Century Aluminum of Kentucky General Partnership Post-Hearing Brief

08/05/13 Kenergy Corp and BREC Joint Post-Hearing Brief

08/02/13 Notice of Filing Hearing Documents

08/01/13 Kenergy and Big Rivers' Response to Post Hearing Request for Information

08/01/13 Century Aluminum of Kentucky's Response to Hearing Data Request

07/30/13 Order Entered: The Applicants' motion to strike is denied and the Sierra Club's comments are accepted for filing as comments by a non-party.

07/25/13 Kenergy Corp Rebuttal Testimony of Gregory J. Starheim

07/25/13 BREC Rebuttal Testimony of Robert W. Berry

07/23/13 Ben Taylor and Sierra Club's Response in Opposition to Big Rivers and Kenergy's Motion to Strike Comments

07/22/13 KIUC Direct Testimony and Exhibits of Lane Kollen

07/22/13 Kenergy Corp and BREC Motion to Strike Comments of Ben Taylor and Sierra Club

07/19/13 Order Entered: The Movants' petition for full intervention is denied.

07/19/13 AG's Comments in Lieu of Testimony

07/19/13 Century Aluminum of Kentucky Direct Testimony of Donald J Morrow, Quanta Technology, LLC with exhibits; Direct Testimony of Sean Byrne, Plant Manager-Hawesville Smelter, with exhibits; and Direct Testimony of Michael Early, Corporate Energy Director

07/19/13 Century Aluminum of Kentucky Entry of Appearance of David C Brown

07/19/13 Ben Taylor and Sierra Club Comments

07/15/13 Ben Taylor and Sierra Clubs Reply in Support of Petition for Full Intervention

07/11/13 BREC and Kenergy Corp Response to the Office of the AG's Initial Request for Information

07/11/13 Kenergy and BREC Response to Commission Staff's Initial Request for Information

07/11/13 Kenergy Corp's Response to Sierra Club's Motion to Intervene

07/11/13 BREC Petition For Confidential Treatment and Motion For Deviation

07/11/13 Kenergy Corp and BREC Response to KIUC's Initial Request for Information

07/08/13 BREC Response and Objection to the Petition of Ben Taylor and Sierra Club for Full Intervention

07/03/13 KIUC's First Set of Data Request to BREC

07/02/13 Commission Staff's Initial Request for Information to Big Rivers Electric Corporation

07/02/13 AG's Initial Data Requests

07/01/13 Ben Taylor and Sierra Club Petition For Full Intervention

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06/28/13 Order Entered: (1) The motion of Meade RECC to intervene is granted. (2) Meade RECC 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) Should Meade RECC file documents of any kind with the Commission in the course of these proceedings, Meade RECC shall also serve a copy of said documents on all other parties of record.

06/28/13 Order Entered: The procedural schedule set forth in the Appendix attached hereto and incorporated herein shall be followed.

06/28/13 Order Entered: The motion of JPEC to intervene is granted. 2. JPEG 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. Should JPEC file documents of any kind with the Commission in the course of these proceedings, JPEC shall also serve a copy of said documents on all other parties of record.

06/27/13 Order Entered: Robert A. Weishaar, Jr. is admitted pro hac vice for the purpose of representing Century in the above-styled proceeding, provided that Bernard F. Lovely, Jr. or another member of the Kentucky Bar Association acts as co-counsel and is present at any and all proceedings before this Commission.

06/27/13 Meade County RECC Motion to Intervene

06/26/13 BREC Compliance Filing

06/25/13 JPEC Motion to Intervene

06/21/13 1. The motion of KIUC to intervene is granted.  
2. KIUC 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. Should KIUC file documents of any kind with the Commission in the course of these proceedings, KIUC shall also serve a copy of said documents on all other parties of record.

06/21/13 Order Entered:  
1. The motion of Century to intervene is granted.  
2. Century 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. Should Century file documents of any kind with the Commission in the course of these proceedings, Century shall also serve a copy of said documents on all other parties of record.

06/21/13 Order Entered: The motion is granted and the Attorney General is hereby made a party to these proceedings.

06/19/13 Order Entered: An informal conference shall be held on Thursday, June 20, 2013, at 11:00 a.m. Eastern Daylight Time, in Conference Room 1 at the Commission's offices in Frankfort, Kentucky, for the purposes requested in KIUC's motion. Staff counsel will provide the call-in information to any party who wishes to attend by telephone.

06/18/13 Central Aluminum of Kentucky General Partnership Motion To Intervene

06/18/13 Century Aluminum of Kentucky General Partnership Motion For Admission Pro Hac Vice

06/17/13 KIUC Motion For Informal Conference to Set Procedural Schedule and to Discuss Interim Approval of The Transaction Before August 20, 2013 Subject to Final Commission Review at a Later Date

06/14/13 AG's Motion to Intervene

06/14/13 BREC Revised Exhibit 13 Alternate Service Agreement

06/14/13 KIUC Petition to Intervene

06/12/13 Acknowledge Receipt of Filing

06/12/13 Joint Application of Kenergy Corp. and Big Rivers Electric Corporation for Approval of Contracts and for a Declaratory Order