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Case Management System - KY Public Service Commission

Regular Cases Before the Commission as of November 09, 2026

2020-00064

RECEIVED: 02/28/20 FILED: 02/28/20 FINAL: 03/15/22 REOPENED: 03/08/22
SUSPENSION DATE: 08/29/20

CASE CODE
Tariffs
Accounting Deferral

UTILITIES:
Big Rivers Electric Corporation

HEARINGS:

06/09/20	Formal Hearing
05/28/20	Informal Conference
05/14/20	Informal Conference

INDEX OF EVENTS:

03/15/22	Order Entered: 1. BREC's motion for clarification of the June 25, 2020 Order is granted. 2. The June 25, 2020 Order is clarified that the one-time utilization of BREC's member equity headroom in 2021 to record a one-time amortization of the SLM regulatory assets is not recoverable from BREC's members in current or future rates. 3. All other provisions of the June 25, 2020 Order not in conflict with this Order remain in full force and effect. 4. This matter is closed and removed from the Commission's docket.
03/08/22	TYSON KAMUF Big Rivers Electric Corporation Big Rivers Electric Corporations Motion for Clarification
07/07/20	POST CASE: Roger Hickman Big Rivers Electric Corporation Documents denied Confidential Treatment in Commissions Order of June 30, 2020
06/30/20	Order Entered: 1. BREC's April 3, 2020; April 15, 2020; May 29, 2020; June 3, 2020; and June 12, 2020 motions for confidential treatment are granted. 2. BREC's April 24, 2020 and May 22, 2020 motions for confidential treatment are granted in part and denied in part. 3. BREC's April 24, 2020 motion, with the exception of BREC's response to Staff's Second Request, Item 7(b), is granted. 4. BREC's April 24, 2020 motion for confidential treatment of BREC's response to Staff's Second Request, Item 7(b), is denied. 5. BREC's May 22, 2020 motion, with the exception of BREC's response to Staff's Third Request, Items 6(a)-(c), is granted. 6. BREC's May 22, 2020 motion for confidential treatment of BREC's response to Staff's Third Request, Items 6(a)-(c) is denied. 7. The designated materials granted confidential treatment for an indefinite period contained in BREC's April 3, 2020; April 15, 2020; April 24, 2020; and May 29, 2020 motions shall not be placed in the public record or made available for public inspection for an indefinite period or until further order of this Commission. 8. The designated materials granted confidential treatment for ten years in BREC's April 15, 2020 motion shall not be placed in the public record or made available for public inspection for ten years or until further order of this Commission.
06/25/20	Final Order Entered: 1. The provisions in the Settlement as set forth in the Attachment to this Order are approved subject to the modifications and deletions set forth in this Order. 2. BREC's MRSM Tariff is approved, as modified by this Order, for service rendered on and after the date of entry of this Order. 3. Ordering paragraph 7 of the December 12, 2018 Order in Case No. 2018-00236 is revoked as of the date of entry of this Order. 4. BREC is authorized to cease accruing a regulatory liability for DSM revenues as of January 1, 2020. 5. BREC is authorized to use the DSM Regulatory Liability to reduce the SLM Regulatory Assets. 6. BREC is authorized to establish a regulatory asset for the actual remaining net book value and decommissioning costs for Coleman Station, subject to Commission review of any decommissioning costs. 7. BREC is authorized to establish a regulatory asset for the actual remaining net book value and decommissioning costs for Reid Station Unit 1, subject to Commission review of any decommissioning costs. 8. BREC is authorized to amortize the SLM Regulatory Assets through the MRSM over a period no longer than the expiration of the Member Contracts on December 31, 2043.
06/17/20	Roger Hickman Big Rivers Electric Corporation Big Rivers Filing of Correct Wickliffe Advance Yeoman Newspaper Ad of June 9 Hearing
06/17/20	J. Michael West Office of the Attorney General Post-Hearing Brief
06/16/20	Edward T. Depp Big Rivers Electric Corporation Big Rivers Post-Hearing Brief

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06/12/20	Tyson Kamuf Big Rivers Electric Corporation Big Rivers Electric Corporations Responses to the Post-Hearing Information Requests
06/12/20	Michael L Kurtz Kentucky Industrial Utility Customers (KIUC) Brief of Kentucky Industrial Utility Customers (KIUC)
06/10/20	Commission Staff's Post-Hearing Request for Information to Big Rivers Electric Corporation
06/10/20	Order Entered: 1. Post-hearing data requests, if any, shall be filed on or before Wednesday, June 10, 2020. 2. Responses to post-hearing data requests shall be filed on or before Wednesday, June 17, 2020. 3. Counsel for BREC shall file a post-hearing brief on or before Wednesday, June 17, 2020. 4. Counsel for Kentucky Industrial Utility Customers, Inc. and the Attorney General of the Commonwealth of Kentucky, by and through the Office of Rate Intervention, if desired, may, but is not required to, file a memorandum brief in support of staff's position on or before June 17, 2020. 5. This case shall stand submitted for a decision by the Commission effective 12:01 a.m., June 18, 2020.
06/05/20	Roger Hickman Big Rivers Electric Corporation Newspaper Notices of the June 9 Hearing for Big Rivers in Case No. 2020-00064
06/03/20	Roger Hickman Big Rivers Electric Corporation Big Rivers Response to Commission Staffs Information Request from the May 28, 2020 Informal Conference
05/29/20	Michael L Kurtz Kentucky Industrial Utility Customers (KIUC) Kentucky Industrial Utility Customers (KIUC) Settlement Testimony and Exhibits of Stephen J. Baron
05/29/20	Edward T. Depp Big Rivers Electric Corporation Motion for Confidential Protection and Motion for Leave to File Settlement Agreement and Supporting Testimony
05/28/20	Michael L Kurtz Kentucky Industrial Utility Customers (KIUC) KIUC .Excel Workpapers re: its Response to Post Informal Conference Data Request (PUBLIC VERSION)
05/28/20	Order Entered: 1. BREC's motion to schedule an informal conference is granted. 2. An informal conference shall be held by video conference on Thursday, May 28, 2020, at 11 a.m. Eastern Daylight Time.
05/26/20	Edward T. Depp Big Rivers Electric Corporation Motion for Informal Conference
05/22/20	Tyson Kamuf Big Rivers Electric Corporation Big Rivers Electric Corporations response to Staffs Third Request for Information, supplemental response to Item 7 of Staffs Second Request for Information, and response to Staffs Informal Conference Request for Information
05/20/20	Michael L Kurtz Kentucky Industrial Utility Customers (KIUC) Affidavit of KIUC witness Steve Baron for his Response to Commissions Post Informal Conference Data Request.
05/18/20	Michael L Kurtz Kentucky Industrial Utility Customers (KIUC) Kentucky Industrial Utility Customers (KIUC) Responses to Post Informal Conference Data Request (PUBLIC)
05/15/20	Michael L Kurtz Kentucky Industrial Utility Customers (KIUC) Kentucky Industrial Utility Customers (KIUC) Response to Commission Staffs First Request for Information
05/15/20	Letter Filing Memorandum dated 5/14/2020 for Informal Conference of 5/14/2020; Comments, if any, due within five days of receipt
05/12/20	Michael L Kurtz Kentucky Industrial Utility Customers (KIUC) Responses of Kentucky Industrial Utility Customers to Big Rivers Electric Corporation First Set of Discovery Responses (PUBLIC)
05/11/20	Order Entered: 1. BREC's motion to schedule an informal conference is granted. 2. An informal conference shall be held by video conference on Thursday, May 14, 2020, at 1 p.m. Eastern Daylight Time.
05/11/20	Edward T. Depp Big Rivers Electric Corporation Big Rivers First Request for Information to KIUC
05/08/20	Edward T. Depp Big Rivers Electric Corporation Motion for Informal Conference
05/07/20	Commission Staff's First Request for Information to Kentucky Industrial Utility Customers, Inc.
05/07/20	Commission Staff's Third Request for Information to Big Rivers Electric Corporation
04/30/20	Tyson Kamuf Big Rivers Electric Corporation Big Rivers Electric Corporations forwarding of request to publish notice of hearing.
04/28/20	Michael L Kurtz Kentucky Industrial Utility Customers (KIUC) KIUCs Direct Testimony and Exhibits of Stephen J. Baron (Public Version)
04/28/20	Order Entered: 1. A hearing in this matter shall be held on Tuesday, June 9, 2020, at 9 a.m. Eastern Daylight Time, in the Richard Raff Hearing Room (Hearing Room 1) at the offices of the Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky. 2. Big Rivers Electric Corporation (BREC) shall give notice of the hearing in compliance with 807 KAR 5:001, Section 9(2)(b). In addition, the notice of hearing shall include the following statements: "This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov;" and "Public comments may be made at the beginning of the hearing. Those wishing to make oral public comments may do so by following the instructions listed on the PSC website,

	psc.ky.gov." At the time the notice is mailed or publication is requested, BREC shall forward a duplicate of the notice and request to the Commission. 3. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), a digital video transcript shall be made of the hearing.
04/24/20	Tyson Kamuf Big Rivers Electric Corporation Big Rivers Electric Corporations responses to the second information requests
04/23/20	Order Entered: 1. The Attorney General's motion to replace its supplemental data requests filed on April 15, 2020, is granted. 2. The Attorney General's supplemental data requests filed on April 15, 2020, shall be stricken from the record and replaced with supplemental data requests filed on April 16, 2020.
04/16/20	J. Michael West Office of the Attorney General Motion to Replace Previous Filing with Updated Version
04/15/20	Tyson Kamuf Big Rivers Electric Corporation Big Rivers Electric Corporations Supplemental Responses to First Requests for Information
04/15/20	J. Michael West Office of the Attorney General OAGs Supplemental Data Request
04/15/20	Commission Staff's Second Request for Information to Big Rivers Electric Corporation
04/15/20	Michael L. Kurtz, Esq. Kentucky Industrial Utility Customers (KIUC) Kentucky Industrial Utility Customers (KIUC) Supplemental Data Requests to Big Rivers Electric Corporation
04/07/20	Edward T. Depp Big Rivers Electric Corporation Big Rivers Reformatted Responses to the Attorney Generals First Set of Data Requests
04/07/20	Edward T. Depp Big Rivers Electric Corporation Big Rivers Reformatted Responses to KIUCs First Set of Data Requests
04/07/20	Edward T. Depp Big Rivers Electric Corporation Big Rivers Reformatted Responses to the Commission Staffs First Request for Information
04/07/20	Order Entered: 1. The procedural schedule issued on March 12, 2020, is stricken and replaced with the procedural schedule attached as an Appendix to this Order. 2. All other provisions of the March 12, 2020 Order not in conflict with this Order remain in effect.
04/07/20	Edward T. Depp Big Rivers Electric Corporation Letter regarding Big Rivers Electric Corporations Responses to Initial Data Requests dated April 3, 2020
04/03/20	Edward T. Depp Big Rivers Electric Corporation Motion for Confidential Treatment
04/03/20	Edward T. Depp Big Rivers Electric Corporation Big Rivers Responses to the AGs First Set of Data Requests
04/03/20	Edward T. Depp Big Rivers Electric Corporation Big Rivers Responses to KIUCs First Set of Data Requests
04/03/20	Edward T. Depp Big Rivers Electric Corporaiton Big Rivers Responses to Commission Staffs First Request for Information
03/24/20	J. Michael West Office of the Kentucky Attorney General E-Filing Compliance in Response to PSC Order
03/24/20	Michael L. Kurtz Kentucky Industrial Utility Customers (KIUC) Kentucky Industrial Utility Customers (KIUC) Written Statement
03/24/20	J. Michael West Office of the Kentucky Attorney General First Set of Data Requests to Big Rivers Electric Corp.
03/24/20	Michael L Kurtz Kentucky Industrial Utility Customers (KIUC) Kentucky Industrial Utility Customers (KIUC) First Set of Data Requests to Big Rivers Electric Corporation
03/20/20	Commission Staff's First Request for Information to Big Rivers Electric Corporation
03/19/20	Order Entered: 1. The Attorney General's motion for an additional two days to file its initial data request is granted. 2. The Attorney General shall file its initial data request on or before March 26, 2020. 3. The provisions of the procedural schedule entered March 12, 2020, in this proceeding that are not in conflict with this Order shall remain in effect
03/19/20	Order Entered: 1. BREC's motion to convert this proceeding to an electronic case is granted. 2. Electronic filing procedures shall be followed pursuant to 807 KAR 5:001, Section 8, for all fi lings in this case. 3. Parties shall upload an electronic version using the Commission's electronic Filing System. 4. Pursuant to the March 16, 2020 Order in Case No. 2020-00085, parties shall not file an original paper copy of any documents in this proceeding until further order of the Commission. Upon an order lifting the current state of emergency, parties shall file original paper copies of electronic documents filed in this proceeding within 30 days of the lifting of the current state of emergency. 5. The style of this case is revised to read, "Electronic Application of Big Rivers Electric Corporation for Approval to Modify Its MRSM Tariff, Cease Deferring Depreciation Expenses, Establish Regulatory Assets, Amortize Regulatory Assets, and Other Appropriate Relief."

03/18/20	Attorney General’s Motion for Extension of Time
03/17/20	Order Entered: 1. BREC's February 28, 2020 motion for confidential protection is granted. 2. The designated materials related to the special contract with Nucor Corporation shall not be placed in the public record or made available for public inspection for an indefinite period or until further Order of this Commission. 3. The designated materials related to the financial information shall not be placed in the public record or made available for public inspection for five years or until further Order of this Commission. 4. Use of the materials in question in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9). 5. BREC shall inform the Commission if the materials in question become publicly available or no longer qualify for confidential treatment. 6. If a non-party to this proceeding requests to inspect the materials granted confidential treatment by this Order and the period during which the materials have been granted confidential treatment has not expired, BREC shall have 30 days from receipt of written notice of the request to demonstrate that the materials still fall within the exclusions from disclosure requirements established in KRS 61.878. If BREC is unable to make such demonstration, the requested materials shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.
03/17/20	Order Entered: 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. KIUC shall comply with all provisions of the Commission's regulations, 807 KAR 5:001, Section 7, related to the service and filing of documents. 4. KIUC shall adhere to the procedural schedule set forth in the Commission's March 12, 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, KIUC 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.
03/17/20	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 7, 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 March 12, 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.
03/17/20	Big Rivers Electric Corporation Motion to Convert Case to Electronic
03/12/20	Order Entered: 1. BREC's proposed tariff is suspended for five months, up to and including August 29, 2020. 2. The procedural schedule set forth in the Appendix to this Order shall be followed. 3. a. Responses to requests for information shall be appropriately bound, tabbed, and indexed and shall include the name of the witness responsible for responding to the questions related to the information provided, with copies to all parties of record, and the original and ten copies to the Commission. 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. A party shall make timely amendment to any prior response if it obtains information which indicates that 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.
03/10/20	Kentucky Industrial Utility Customers, Inc. Motion to Intervene
03/09/20	Attorney General Motion to Intervene
03/02/20	Acknowledge Receipt of Filing

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02/28/20	Big Rivers Electric Corporation Application for Approval to Modify Its MRSM Tariff, Cease Deferring Depreciation Expenses, Establish Regulatory Assets, Amortize Regulatory Assets, and Other Appropriate Relief

Total Number of Cases: 1