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Case Management System - KY Public Service Commission*Regular Cases Before the Commission as of December 10, 2023***2023-00223**

RECEIVED: 08/04/23

FILED: 08/28/23

FINAL:

REOPENED:

SUSPENSION DATE: 03/01/24

CASE CODE

General Rates

UTILITIES:

Fleming-Mason Energy Cooperative, Inc.

HEARINGS:

09/20/23

Informal Conference

INDEX OF EVENTS:

- 11/29/23 Earl Rogers III Fleming-Mason Energy Cooperative, Inc. Updated Rate Case expenses and read first letter
- 11/27/23 J. Michael West Office of the Kentucky Attorney General Direct Testimony of Attorney Generals Expert Witness
- 11/20/23 Earl Rogers III Fleming-Mason Energy Cooperative, Inc. Motion for Confidential Treatment by Fleming Mason Energy re Commission Staff 3rd Request for Information Item 6 and read first letter
- 11/20/23 Earl Rogers III Fleming-Mason Energy Cooperative, Inc. Fleming-Mason Energy response to Commission Staffs 3rd Request for Information and read first letter
- 11/20/23 Earl Rogers III Fleming-Mason Energy Cooperative, Inc. Fleming-Mason Energy response to AG supplemental Request for Information and Read First Letter
- 11/09/23 Earl Rogers III Fleming-Mason Energy Cooperative, Inc. Notice of filing Responses to Commission first request for information, Items 16 and 29, and read first letter
- 11/08/23 COMMISSION STAFF'S THIRD REQUEST FOR INFORMATION TO FLEMING-MASON ENERGY COOPERATIVE, INC.
- 11/08/23 Earl Rogers III Fleming-Mason Energy Cooperative, Inc. Fleming-Mason Energy supplemental response to Attorney General request for information 1-1 and read first letter
- 11/06/23 J. Michael West Office of the Kentucky Attorney General Supplemental Data Requests of OAG
- 10/24/23 Earl Rogers III Fleming-Mason Energy Cooperative, Inc. Fleming-Mason Energy Motion for Confidential Treatment re Commission Second Data Request No. 15 and Read First Letter
- 10/24/23 Earl Rogers III Fleming-Mason Energy Cooperative, Inc. Fleming-Mason response to Commission Staff 2nd Request for Information and Read First letter
- 10/24/23 Earl Rogers III Fleming-Mason Energy Cooperative, Inc. Fleming-Mason Energy Response to Attorney General first Request for Information and read first letter
- 10/19/23 Earl Rogers III Fleming-Mason Energy Cooperative, Inc. Motion for Confidentiality re Compensation Plan Report and read first letter
- 10/19/23 Earl Rogers III Fleming-Mason Energy Cooperative, Inc. Notice of Filing Response to Request for Information Item 20 per Order of Oct 18, 2023, and Read First Letter
- 10/18/23 Order Entered: 1. Fleming-Mason Energy's motion for confidential treatment for its responses to Staff's First Request, Items 16, 17, 20, and 29, is granted in part and denied in part. 2. Fleming-Mason Energy's motion for confidential treatment for the non- executive compensation provided in response to Staff's First Request, Items 16 and 29, is granted. 3. Fleming-Mason Energy's motion for confidential treatment for executive compensation information provided in response to Staff's First Request, Items 16, 20, and 29, and its response to Staff's First Request, Item 17, is denied. The Commission directs Fleming-Mason Energy to refile an updated confidentiality motion for the wage, salary, and study once it has been filed in the record. 4. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for ten 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 comply with 807 KAR 5:001, Section 13(9). 6. Fleming-Mason Energy shall inform the Commission if the designated material granted confidential treatment becomes publicly available or no longer qualifies for confidential treatment.
- 10/18/23 Earl Rogers III Fleming-Mason Energy Cooperative, Inc. Read first letter and supplemental response to Commission first data request, item 35c, updated rate case expenses

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10/11/23 COMMISSION STAFF'S SECOND REQUEST FOR INFORMATION TO FLEMING-MASON ENERGY COOPERATIVE, INC.

10/11/23 J. Michael West Office of the Kentucky Attorney General Notice of Additional Counsel

10/11/23 J. Michael West Office of the Kentucky Attorney General Attorney Generals First Set of Data Requests

10/03/23 Letter Filing IC Memo into the Record

09/28/23 Order Entered: 1. Fleming-Mason Energy's proposed rates are suspended for five months, up to and including March 1, 2024. 2. The procedural schedule set forth in the Appendix to this Order shall be followed. 3. Fleming-Mason Energy shall respond to all requests for information propounded by Commission Staff, whether identified on the procedural schedule or otherwise, as provided in those requests.

4. Any party filing a paper with the Commission shall file an electronic copy in accordance with the electronic filing procedures set forth in 807 KAR 5:001, Section 8. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked. The Commission directs the parties to the Commission's July 22, 2021 Order in Case No. 2020-00085³ regarding filings with the Commission. 5. As set forth in 807 KAR 5:001, Section 4(11)(a), a person requesting permissive intervention in a Commission proceeding is required to demonstrate either (1) a special interest in the proceeding that is not adequately represented in the case, or (2) that the person requesting permissive intervention is likely to present issues or develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings.

09/28/23 IT IS THEREFORE ORDERED that Fleming-Mason Energy's deficiencies have been cured and its application is deemed filed on August 28, 2023.

09/19/23 Order Entered: 1. Fleming-Mason Energy has cured the deficiency for 807 KAR 5:001, Section 16(4)(i). 2. Fleming-Mason Energy has not cured the deficiency for 807 KAR 5:001, Section 16(4)(g). 3. Fleming-Mason Energy's motion for a deviation of 807 KAR 5:001, Section 16(4)(g) is denied. 4. Fleming-Mason Energy's motion for an IC is granted. 5. Fleming-Mason Energy's application is deficient regarding 807 KAR 5:001, Section 16(4)(e). 6. A virtual IC is scheduled on September 20, 2023, at 10 a.m. Eastern Daylight Time. 7. Commission Staff will contact the parties with instructions how to participate in the virtual IC.

09/08/23 Bruce Wayne Cowan Public Comment

08/31/23 Earl Rogers III Fleming-Mason Energy Cooperative, Inc. Motion for Confidential Treatment and Read First letter

08/31/23 Earl Rogers III Fleming-Mason Energy Cooperative, Inc. Response of Fleming-Mason Energy to Commissions First Request for Information and read first letter.

08/28/23 Earl Rogers III Fleming-Mason Energy Cooperative, Inc. Read first letter and Response to Notice of Deficiency of August 21, 2023, and in the alternative motion for deviation from Application rules.

08/28/23 Order Entered: 1. The Attorney General's motion to intervene is granted. 2. The Attorney General is 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. Pursuant to 807 KAR 5:001, Section 8(9), within seven days of service 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 shall be served.

08/21/23 Second deficiency letter, information due 08/31/2023

08/18/23 J. Michael West Office of the Kentucky Attorney General OAGs Motion to Intervene

08/17/23 Earl Rogers III Fleming-Mason Energy Cooperative, Inc. Response to Notice of filing deficiency and read first letter

08/15/23 COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO FLEMING-MASON ENERGY COOPERATIVE, INC.

08/11/23 Deficiency letter, information due 08/21/2023.

08/04/23 Earl Rogers III Fleming-Mason Energy Cooperative, Inc. Application for General Rate Adjustment with exhibits and read first letter.

06/29/23 Earl Rogers III Fleming-Mason Energy Cooperative, Inc. Notice of Intent to File Application for Rate Adjustment and read first letter

06/29/23 Acknowledge Receipt of Filing

06/29/23 Fleming-Mason Energy Cooperative, Inc. Notice of Intent to File an Application for a General Adjustment of Rates Using Electronic Filing Procedures

Total Number of Cases: 1