

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC AMENDMENT OF)
JURISDICTIONAL ELECTRIC UTILITIES' NET)
METERING TARIFFS TO REFLECT THE)
INCREASE IN MAXIMUM RATED CAPACITY)
FROM 30 KILOWATTS TO 45 KILOWATTS)
PURSUANT TO THE NET METERING ACT)

CASE NO.
2019-00440

ORDER

The Commission, on its own motion, initiates this proceeding to provide certain utilities under its jurisdiction notice of a change in the law that necessitates an amendment of tariffs. Specifically, on January 1, 2020, Senate Bill 100, An Act Related to Net Metering (Net Metering Act), takes effect. The Net Metering Act amends portions of KRS Chapter 278 and relevant to this proceeding, KRS 278.465, which, *inter alia*, increases the maximum rated capacity allowed under the Net Metering Act from 30 kilowatts (kW) to 45 kW. KRS 278.466 requires, "Each retail electric supplier shall make net metering available to any eligible customer-generator that the supplier currently serves or solicits for service." Pursuant to KRS 278.467, "each retail electric supplier shall file with the commission a net metering tariff" and "shall make their net metering tariff and interconnection practices available to the public by posting the tariff and practices on their Web sites." Based on a review of the Commission's tariff filing system, most retail electric suppliers, as that term is used in KRS Chapter 278, have not filed amended net metering tariffs to reflect the increase in maximum rated capacity from 30 kW to 45 kW.

The Commission finds that with the change of law, effective January 1, 2020, retail electric suppliers should file amended tariffs with the Commission that reflect the increase in maximum rated capacity for eligible electric generating facilities from 30 kW to 45 kW. The Commission further finds that, given the minor amendment, good cause exists to permit a one-time deviation from 807 KAR 5:011, Section 6 (2)(b), Section 8(2), Section 8(3), Section 8(4), and 807 KAR 5:051, Section 2, only for the change reflecting the increase in maximum rated capacity for eligible electric generating facilities. If a retail electric supplier amends any other tariff as part of the filing amending their net metering tariff that reflects the increase in maximum rates capacity for eligible electric generating facilities or amends any other portion of the net metering tariff, the Commission's one-time blanket deviation described above does not apply. Nevertheless, each retail electric supplier should use reasonable diligence in providing notice to its customers of the aforementioned amendment to their net metering tariffs, including posting the proposed tariff on their website in a conspicuous manner and using available social media channels. Nothing in this order should be perceived as limiting the ways in which a retail electric supplier may provide notice to customers, should they choose to do so.

Additionally, given the minor amendment required by law, the limited impact, and the prospective nature of the increase in the maximum rated capacity for eligible electric generating facilities, the Commission further finds good cause to deviate from the statutory notice required by KRS 278.180. Using its discretion provided by the statute, the Commission finds good cause to shorten the notice period of a tariff filed in accordance with the discussion above from 30 days to 20 days. Again, the shortening of the notice period required by KRS 278.180 applies only to proposed amended tariffs that

solely reflect the Net Metering Act's increase in maximum rated capacity for eligible electric generating facilities from 30 kW to 45 kW.

IT IS THEREFORE ORDERED that:

1. All retail electric suppliers, as that term is used in KRS Chapter 278, shall file with the Commission as soon as practical proposed amended tariffs reflecting the statutorily–required increase in the maximum rated capacity for eligible electric generating facilities.

2. All retail electric suppliers shall be provided a one-time blanket deviation from 807 KAR 5:011 Section 6 (2)(b), Section 8(2), Section 8(3), Section 8(4) and 807 KAR 5:051 Section 2, for their proposed amended tariff reflecting only the maximum capacity changes required by the Net Metering Act.

3. All proposed amended tariffs filed in accordance with this order shall be permitted to take effect upon not less than 20 days' notice to the Commission, but shall not take effect earlier than January 1, 2020, in accordance with the Net Metering Act.

4. Each retail electric supplier should use reasonable diligence in providing notice to its customers of the afore ordered amendments to their net metering tariffs, including posting the proposed tariff on their website in a conspicuous manner and using available social media channels.

5. This case is closed and removed from the Commission's docket.

By the Commission

ENTERED
DEC 09 2019
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


Executive Director

Case No. 2019-00440

*Big Sandy R.E.C.C.
Big Sandy R.E.C.C.
504 11th Street
Paintsville, KY 41240

*Duke Energy Kentucky, Inc.
Duke Energy Kentucky, Inc.
139 East Fourth Street
Cincinnati, OH 45202

*East Kentucky Power Cooperative, Inc
East Kentucky Power Cooperative, Inc.
4775 Lexington Road
P. O. Box 707
Winchester, KY 40392-0707

*Taylor County R.E.C.C.
Taylor County R.E.C.C.
625 West Main Street
P. O. Box 100
Campbellsville, KY 42719

*Nolin R.E.C.C.
Nolin R.E.C.C.
411 Ring Road
Elizabethtown, KY 42701-6767

*Inter-County Energy Cooperative Corp
Inter-County Energy Cooperative Corporation
1009 Hustonville Road
P. O. Box 87
Danville, KY 40423-0087

*Farmers R.E.C.C.
Farmers R.E.C.C.
504 South Broadway
P. O. Box 1298
Glasgow, KY 42141-1298

*South Kentucky R.E.C.C.
South Kentucky R.E.C.C.
200 Electric Avenue
Somerset, KY 42501

*Jackson Energy Cooperative Corporati
Jackson Energy Cooperative Corporation
115 Jackson Energy Lane
McKee, KY 40447

*Jackson Purchase Energy Corporation
Jackson Purchase Energy Corporation
2900 Irvin Cobb Drive
P. O. Box 4030
Paducah, KY 42002-4030

*Meade County R.E.C.C.
Meade County R.E.C.C.
P. O. Box 489
Brandenburg, KY 40108-0489

*Licking Valley R.E.C.C.
Licking Valley R.E.C.C.
P. O. Box 605
271 Main Street
West Liberty, KY 41472

*Fleming-Mason Energy Cooperative, In
Fleming-Mason Energy Cooperative, Inc.
1449 Elizaville Road
P. O. Box 328
Flemingsburg, KY 41041

*Blue Grass Energy Cooperative Corp.
Blue Grass Energy Cooperative Corp.
1201 Lexington Road
P. O. Box 990
Nicholasville, KY 40340-0990

*Owen Electric Cooperative, Inc.
Owen Electric Cooperative, Inc.
8205 Highway 127 North
P. O. Box 400
Owenton, KY 40359

*Kentucky Power Company
Kentucky Power Company
855 Central Avenue, Suite 200
Ashland, KY 41101

*Clark Energy Cooperative, Inc.
Clark Energy Cooperative, Inc.
2640 Ironworks Road
P. O. Box 748
Winchester, KY 40392-0748

*Shelby Energy Cooperative, Inc.
Shelby Energy Cooperative, Inc.
620 Old Finchville Road
Shelbyville, KY 40065

*Kenergy Corp.
Kenergy Corp.
6402 Old Corydon Road
P. O. Box 18
Henderson, KY 42419

*Cumberland Valley Electric, Inc.
Cumberland Valley Electric, Inc.
Highway 25E
P. O. Box 440
Gray, KY 40734

*Salt River Electric Cooperative Corp
Salt River Electric Cooperative Corp.
111 West Brashear Avenue
P. O. Box 609
Bardstown, KY 40004

*Grayson R.E.C.C.
Grayson R.E.C.C.
109 Bagby Park
Grayson, KY 41143

*Big Rivers Electric Corporation
Big Rivers Electric Corporation
201 Third Street
P. O. Box 24
Henderson, KY 42420