

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF KENTUCKY)	
UTILITIES COMPANY FOR AN ADJUSTMENT OF)	CASE NO.
ITS ELECTRIC RATES AND APPROVAL OF)	2025-00113
CERTAIN REGULATORY AND ACCOUNTING)	
TREATMENTS)	

ORDER

On May 30, 2025, Kentucky Utilities (KU) filed its application for an adjustment of its electric rates and approval of certain regulatory and accounting treatments.¹ Concurrent with its application, KU filed a motion requesting permission to deviate from 807 KAR 5:001, Section 8 related to the submission of an attachment to Mr. Charles Schram’s direct testimony, titled Exhibit CRS-7 (Exhibit CRS-7).² The attachment is an approximate “7 GB zip file that consists of compressed workpapers”³ which exceeds the Commission’s 50 MB per file e-filing limit. For the reasons explained below, and being otherwise sufficiently advised, the Commission grants KU’s motion to deviate.

LEGAL STANDARD

Pursuant to 807 KAR 5:001, Section 22, the Commission may, at its discretion, allow deviation from the filing requirements in 807 KAR 5:001 upon a showing of good

¹ Application at 1.

² Motion to Deviate (filed May 30, 2025) at 2.

³ Motion to Deviate at 2.

cause. Commission regulation 807 KAR 5:001, Section 8 and Case No. 2020-00085⁴ require parties to cases such as this proceeding to electronically upload all filings to the Commission's electronic filing system.

In Case No. 2022-00311,⁵ the Commission authorized deviations from certain electronic file format and size regulations pending the amendment of the relevant regulations. The Commission established standards that accepted for electronic filing zip files for certain file formats greater than 50 MB that cannot be submitted in multiple uploading sessions. In that case, the Commission encouraged filers to contact the Commission's Filings Branch Staff for assistance before tendering a motion to deviate from filing format and size requirements.

Finally, KRS 278.100 also requires the Commission's Executive Director to "maintain[] the official records of commission proceedings[.]"

KU's MOTION TO DEVIATE

As previously stated, Exhibit CRS-7 is a large zip file containing compressed workpapers relevant to Mr. Schram's direct testimony. KU stated that those workpapers "are organized in folder structures that are vital to their usefulness and comprehensibility, which necessitates filing them in their entirety rather than as individual files."⁶ Consistent with the Commission's Order in Case No. 2022-00311, KU contacted Commission Staff for guidance and who recommended the use of a thumb drive. Additionally, KU's motion

⁴ Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus Covid-19* (Ky. PSC July 22, 2021), Order.

⁵ Case No. 2022-00311, *Electronic Review of Electronic Filing Procedures in 807 KAR 5:001, Section 8(2), (4), and (6)* (Ky. PSC Oct. 6, 2022), Order.

⁶ Motion to Deviate at 2.

also proposed hosting a copy of Exhibit CRS-7 on its counsel's file sharing workspace that is used to provide access to confidential information to intervening parties.⁷

DISCUSSION AND FINDINGS

Having reviewed the record, and being otherwise sufficiently advised, the Commission finds that KU has established good cause to deviate from the filing requirements in 807 KAR 5:001, Section 8 with regards to Exhibit CRS-7. KU contacted Commission Staff prior to filing the application and this motion for deviation requesting guidance. Moreover, by submitting Exhibit CRS-7 as a thumb drive, the Executive Director is enabled to maintain Commission records in accordance with KRS 278.100. However, regarding KU's proposal to host the file on its shared workspace, while the Commission does not object to KU doing so, KU must also make available an identical thumb drive copy of its official submission to the Commission to all intervening parties which request it.

Finally, the Commission continues to caution KU and all interested parties, that a thumb drive may not always be the appropriate remedy for deviations of this nature. Therefore, the best practice remains for parties to contact the Commission Filings Branch Staff for assistance with electronic filing concerns.

IT IS THEREFORE ORDERED that:

1. KU's motion requesting deviation from 807 KAR 5:001, Section 8 is granted.
2. KU is instructed to provide a copy of the subject material to the Commission on a physical thumb drive.

⁷ Motion to Deviate at 2-3.

3. KU is instructed to provide a copy of the subject material on a physical thumb drive to all intervening parties which request it and to maintain electronic access of the subject materials for all intervening parties during the pendency of this matter.

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PUBLIC SERVICE COMMISSION



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Vice Chairman



Commissioner

ATTEST:



Executive Director



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