

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC TARIFF FILING OF LICKING	)	
VALLEY RURAL ELECTRIC CORPORATION	)	CASE NO.
REQUESTING A DEVIATION FROM 807 KAR	)	2026-00283
5:011, SECTION 8	)	

ORDER

On September 17, 2026, Licking Valley Rural Electric Cooperative Corporation (Licking Valley RECC) filed a motion requesting a deviation from the customer notice requirements in 807 KAR 5:011, Section 8, pursuant to 807 KAR 5:011, Section 15.¹ Licking Valley RECC seeks to revise its returned check and insufficient funds charge from \$10.60 to \$25.50.²

Licking Valley RECC acknowledged that its customer notice identified an incorrect present charge, used inconsistent terminology to describe the returned check charge, and contained errors in a cited case reference. Licking Valley RECC stated that the notice nevertheless identified the proposed \$25.50 charge, informed members that the charge would apply only when a payment is returned for insufficient funds and disclosed the proposed charge would become effective on October 1, 2026. Licking Valley RECC

¹ Licking Valley Rural Electric Cooperative Corporation's Motion for Deviation at 1 (filed Sept. 17, 2026) (Motion). Motion is attached as an Appendix to this Order.

² Licking Valley Rural Electric Cooperative Corporation, *Updated Rules and Regulations Tariff Filing with Increased Bank Charge* (filed Sept. 1, 2026) (Tariff Filing).

further stated that the increased charge directly reflects the bank fee it incurs for returned checks.³

Having considered the motion and being otherwise sufficiently advised, the Commission finds that good cause exists to grant Licking Valley RECC a deviation from the customer notice requirements in 807 KAR 5:011, Section 8, for this filing. The Commission further finds that Licking Valley RECC's revised tariff, P.S.C. KY No. 34, Fifth Revised Sheet No. 19, should be approved for service rendered on and after October 1, 2026.

IT IS THEREFORE ORDERED that:

1. Licking Valley RECC's motion for deviation is granted.
2. Licking Valley RECC is granted a deviation from the customer notice requirements in 807 KAR 5:011, Section 8, for this tariff filing.
3. Licking Valley RECC's revised tariff, P.S.C. KY No. 34, Fifth Revised Sheet No. 19, is approved for service rendered on and after October 1, 2026.
4. This case is closed and removed from the Commission's docket.

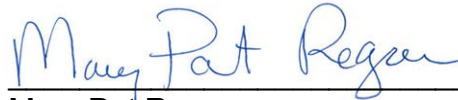
³ Motion at 2–4; Tariff Filing at 1.

Entered on this 30th day of September, 2026.

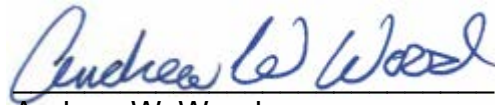
PUBLIC SERVICE COMMISSION

A blue ink signature of Angie Hatton, consisting of a stylized 'A' followed by a horizontal line and a flourish.

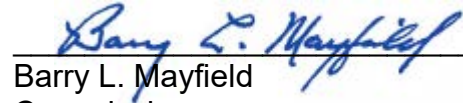
Angie Hatton
Chair

A blue ink signature of Mary Pat Regan, written in a cursive style.

Mary Pat Regan
Vice Chair

A blue ink signature of Andrew W. Wood, written in a cursive style.

Andrew W. Wood
Commissioner

A blue ink signature of Barry L. Mayfield, written in a cursive style.

Barry L. Mayfield
Commissioner

ATTEST:

A blue ink signature of Justin McNeil, written in a cursive style with 'RP' at the end.

Justin McNeil
Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2026-00283 DATED SEP 30 2026

EIGHT PAGES TO FOLLOW

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

UPDATED RULES AND REGULATIONS	)	
TARIFF FILING WITH INCREASED	)	TFS2026-00436
BANK CHARGE	)	

MOTION FOR DEVIATION

Comes now Licking Valley Rural Electric Cooperative Corporation (“Licking Valley”), by counsel, pursuant to 807 KAR 5:011, Section 15 and respectfully requests the Kentucky Public Service Commission (“Commission”) grant a deviation from 807 KAR 5:011, Section 8. In support of this motion, Licking Valley respectfully states as follows:

1. On May 1, 2026, Licking Valley filed TFS2026-00189 requesting to update Licking Valley Tariff, P.S.C. KY NO. 39, Fifth Revised Sheet No. 19, Rules and Regulations, Section Returned Check and Insufficient Funds. The tariff filing was to update the service charge to reflect the exact amount Licking Valley is charged from its bank for a returned check. At that time, Commission Staff informally requested Licking Valley provide updated notice with the dollar amount and percentage change. A copy of this correspondence is attached.¹

2. On September 1, 2026, Licking Valley refiled Licking Valley Tariff, P.S.C. KY NO. 39, Fifth Revised Sheet No. 19, Rules and Regulations, Section Returned Check and Insufficient Funds in this proceeding. Included in this filing was an updated customer notice from the September issue of *Kentucky Living* as requested by Commission Staff.

¹ The Commission Staff requested various other changes not pertaining to this request for deviation.

3. On September 14, 2026, Commission Staff informed Licking Valley there were certain deficiencies in the customer notice:

- The updated tariff lists the current charge of \$10.60 and the customer notice listed the current charge as \$10.00.
- The customer notice indicates, Licking Valley is proposing a revision to tariff P.S.C. KY NO. 34, Fourth Revised Sheet No. 19, Rules and Regulations and then later in the notice states the amendment is to the “RETURNED CHECK AND INSUFFICIENT FUNDS” section of the tariff while the table with the present and proposed rates states the amendment is to the “Bank Fee ACH.”
- The customer notice did not contain the requirements of 807 KAR 5:011, Section 8(4)(c)-(d).
- A footnote cites Case No. 2025-00213², but gives the wrong year for the final order in that proceeding.

6. Licking Valley requests a deviation from 807 KAR 5:011, Section 8 pursuant to 807 KAR Section 15. Licking Valley acknowledges the notice is incorrect regarding the current charge for a returned check fee. However, the material information to the notice, the proposed charge, and the amount of the increase, as requested by the Commission, are correct.

7. It is also correct that the customer notice indicates Licking Valley proposed a revision to the “RETURNED CHECK AND INSUFFICIENT FUNDS” section of the Rules and Regulations tariff and the table with the present and proposed rates refers to “Bank Fee ACH” being increased. However, “RETURNED CHECK AND INSUFFICIENT FUNDS” section of the tariff and the “Bank Fee ACH” in the table are referencing the same charge despite different

² *Electronic Application of Licking Valley Rural Electric Cooperative Corporation for Pass-Through of East Kentucky Power Cooperative, Inc.’s Wholesale Rate Adjustment*, Case No. 2025-00213, Order (Ky. PSC April 28, 2026).

wording. Licking Valley requests a deviation from 807 KAR 5:011, Section 8 pursuant to 807 KAR Section 15 for this issue.

8. Commission Staff stated the notice does not include the amount and percentage change and average usage information as required by 807 KAR Section 8(4)(c)-(d). However, the notice table includes the average bill increase in dollars and percentage increase. Licking Valley addressed this issue with Commission Staff regarding the May filing and corrected the notice as requested. Licking Valley believes that, as a direct pass through of its bank charge increase when there is a returned check, there is not a way to adequately describe this in a traditional customer notice. As Commission Staff noted in its September 14, 2026 correspondence, the charge will only apply when there is a member who pays by check and that check is returned due to insufficient funds. Additionally, the customer notice stated, “This increase is only applicable to members incurring the charge.” Licking Valley maintains, while the notice does not include the dollar and percentage increase, there is sufficient information for members to understand the returned check charge is increasing by \$14.90 and there is good cause to grant a deviation pursuant to 807 KAR 5:011, Section 15.

9. Finally, the footnote in the customer notice cites Case No. 2025-00213³, but incorrectly gives the wrong year for the final order in that proceeding. Licking Valley stated in the notice the Order was issued on April 28, 2016, instead of April 28, 2026. The footnote was only included to indicate what case set the present rate Licking Valley’s utilized in making the calculations. Licking Valley believes there is good cause to allow a deviation based upon 807 KAR 5:011, Section 15.

³ *Electronic Application of Licking Valley Rural Electric Cooperative Corporation for Pass-Through of East Kentucky Power Cooperative, Inc.’s Wholesale Rate Adjustment*, Case No. 2025-00213, Order (Ky. PSC April 28, 2026).

10. Licking Valley believes the customer notice adequately conveys to its members there will be an increased charge if a check is returned for insufficient funds despite these small issues. Licking Valley is respectfully requesting the Commission grant a deviation to 807 KAR 5:011, Section 8 and allow Licking Valley's proposed tariff go into effect on October 1, 2026.

WHEREFORE, on the basis of good cause shown, Licking Valley requests a deviation from certain requirements in 807 KAR 5:011, Section 8(4) pursuant to 807 KAR 5:011, Section 15.

This the 17th day of September 2026.

Respectfully submitted,

Heather Temple

L. Allyson Honaker

Heather S. Temple

Meredith Cave

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*Counsel for Licking Valley Rural Electric
Cooperative Corporation*

CERTIFICATE OF SERVICE

This is to certify that the electronic filing was transmitted to the Commission on September 17, 2026, and that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding. Pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085 no paper copies of this filing will be made.

Heather Temple

*Counsel for Licking Valley Rural Electric
Cooperative Corporation*

From: [Hinton, Daniel E \(PSC\)](#)
To: [Heather Temple](#)
Subject: RE: KY-PSC Electronic Filing Center NotificationTFS2026-00189
Date: Monday, May 4, 2026 3:33:33 PM

On the additional revenue, that is kind of what all NRCs are. They are only supposed to recover the cost of providing the service.

On the notice, in my opinion (and I can't speak for the Commission), if the email address was the only thing, that might work, but with the change in dollar amount and percentage change missing too, I don't know if a deviation would be approved. Not saying it wouldn't though either.

For the income statement and balance sheet, all we need is a statement saying that they are on file with the Commission.

Looking at their 2025 annual report, they have reported over \$250,000 in late fees and approximately \$72,000 in other electric revenues. Assuming all of the \$72,000 is nonrecurring charge revenue, the increase in the amount collected for returned checks based on this change would have to be over \$16,000 in order to trigger the absorption test portion of the regulation. Looking at their 2024 rate case, they only seemed to have 200 to 400 returned check charges a year. Even if they had 400 over the past 12 months, the increase would not be over \$16,000 by my calculations.

From: Heather Temple <heather@hloky.com>
Sent: Monday, May 4, 2026 3:12 PM
To: Hinton, Daniel E (PSC) <dehinton@ky.gov>
Subject: RE: KY-PSC Electronic Filing Center NotificationTFS2026-00189

Daniel,

In reference to the additional revenue – Licking Valley has a direct pass through of this amount. They do not charge/receive anything additional. They are not charging expenses for this amount.

I intended the request to include notifying the AG, but that is easy enough to correct. Do you think I can file an additional motion for deviation regarding the income statement and the customer notice having the incorrect email address?

Heather

From: Hinton, Daniel E (PSC) <dehinton@ky.gov>
Sent: Monday, May 4, 2026 2:47 PM

To: Heather Temple <heather@hloky.com>

Cc: Rogness, Benjamin (PSC) <benjamin.rogness@ky.gov>; Bostrom, Peter (PSC) <peter.bostrom@ky.gov>

Subject: RE: KY-PSC Electronic Filing Center NotificationTFS2026-00189

Heather,

In looking over the below filing, Staff noticed the following issues:

- The notice does not contain the amount of the change in both dollar amount and percentage change (807 KAR 5:011, Section 8(4)(c));
- The electronic mail address listed in the notice is not meant for public comments on filings. It would be better to replace “,or by electronic mail to: psc.info@ky.gov”, with “or through its website”.
- While the increased charge is being offset by an increased expense, Licking Valley would still be bringing in additional revenue. Therefore, the remaining requirements may still apply. While the letter requested a deviation from the additional requirements, it did not specifically list them. Staff assumes that Licking Valley was referring to 807 KAR 5:011, Section 10(1)(e) and (3)(a)-(c).
 - Section 10(1)(e), which requires a copy of the utility’s income statement and balance sheet for a recent 12 month period or an affidavit from an authorized representative of the utility attesting that the income statement and balance sheet are on file with the commission, would still apply.
 - Subsection 3 would only apply if the revenue to be generated from the proposed increase to the returned check fee would exceed by 5 percent the total revenues provided by all nonrecurring charges (which would include late payment fee revenue) for a recent 12 month period ending within 90 days of submitting the tariff filing. If the 5 percent threshold will be exceeded and Licking Valley still wanted to request a deviation, it would need to provide support for the requested deviation. If the 5 percent threshold will not be exceeded, then Licking Valley would not need to file an absorption test, and thus, would not need to request a deviation. In that case, Licking Valley could just include a statement indicating that the increase will not exceed 5 percent of total nonrecurring charge revenue over the 12 month period ending within 90 days of the tariff filing.
- There is no indication of whether a copy of the filing was sent to the Attorney General’s Office. (807 KAR 5:011, Section 10(4)).

The notice will need to be corrected and republished, which will affect the effective date. Once that is corrected and republished, you can refile the filing with the corrections noted above. We will leave the TFS2026-00189 filing open which should allow you to upload the corrected documents to that filing.

If you have any questions, please let us know.

Thanks.

Daniel

From: KY Public Service Commission <psc.tariffs@ky.gov>
Sent: Friday, May 1, 2026 12:03:21 PM (UTC-05:00) Eastern Time (US & Canada)
To: heather@hloky.com <heather@hloky.com>
Cc: PSC Tariffs <psc.tariffs@ky.gov>
Subject: KY-PSC Electronic Filing Center NotificationTFS2026-00189

This notification has been sent to you regarding your recent Tariff filing : TFS2026-00189
file(s) have been transmitted successfully.

Documents received for Tariff filing: TFS2026-00189 for Licking Valley R.E.C.C.
5/1/2026 12:02:52 PM

File Summary:

File Name: Cover_Letter_Tariff_Update.pdf

Description: Cover Letter

File Name: Kentucky_Living_Notice.pdf

Description: Support Document

File Name: Notice_From_Bank.pdf

Description: Support Document

File Name: Rules_and_Regulations_New.pdf

Description: Tariff

File Name: Rules_and_Regulations_Redline.pdf

Description: Tariff

Thank you.

Service List for Case 2026-00283

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