

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KENERGY CORP. FOR)	
APPROVAL OF FLOW THROUGH RATES)	CASE NO.
PURSUANT TO KRS 278.455)	2013-00035

ORDER

On March 1, 2013, Kenergy Corp. ("Kenergy") tendered for filing an application to pass through the effects of any wholesale rate adjustment granted to its wholesale power supplier, Big Rivers Electric Corporation ("Big Rivers"), in Case No. 2012-00535.¹ Kenergy submitted its application pursuant to the authority of KRS 278.455(2) and proposed that its new rates become effective the same date as the effective date in Case No. 2012-00535.² KRS 278.455(2) provides that the rates of a distribution cooperative shall become effective on the same date as those of its wholesale supplier. The Commission finds that, as its proposed effective date is the same as the effective date of its wholesale supplier, suspension of Kenergy's proposed rates is not required at this time. Therefore, the proper date for Kenergy's proposed rates to be effective is the effective date of Big Rivers' proposed rates. On February 1, 2013 the Commission suspended Big Rivers' proposed rates for six months up to and including August 17,

¹ Case No. 2012-00535, Application of Big Rivers Electric Corporation for an Adjustment of Rates (Ky. PSC filed Jan. 15, 2013).

² Kenergy's Application, tendered for filing March 1, 2013 proposed that its new rates become effective no sooner than the effective date of Big Rivers' rate change in Case No. 2012-00535. Kenergy's tariffs contain an effective date the "Same as Effective Date in Case No. 2012-00535."

2013. Consequently, Kenergy's proposed rates may not become effective until the Commission renders a decision on Big Rivers' proposed rates or until Big Rivers' rates become effective as a matter of law.

IT IS THEREFORE ORDERED that:

1. Kenergy's proposed rates will be effective on the same date as Big Rivers' in order that the timing of any change in Kenergy's retail rates will be synchronized with the timing of any change in Big Rivers' wholesale rates.

2. The procedural schedule set forth in the Appendix, which is attached hereto and incorporated herein, 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 who will be responsible for responding to questions related to the information provided, with copies to all parties of record and 10 copies to the Commission. Any request for information by letter from Commission Staff shall be responded to as if set forth in a Commission Order.

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. Any 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.

4. Any party filing testimony shall file an original and 10 copies with the Commission, with copies to all parties of record.

5. Kenergy shall give notice of the hearing in accordance with the provisions set out in 807 KAR 5:001, Section 9(2)(b). At the time publication is requested, Kenergy shall forward a duplicate of the notice and request to the Commission.

6. At any public hearing in this matter, neither opening statements nor summarization of direct testimonies shall be permitted.

7. Any objections or motions relating to discovery or procedural dates shall be filed upon four business days' notice or the filing party shall explain, in writing, why such notice was not possible.

8. Motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause.

9. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

By the Commission

ENTERED ²¹
MAR 11 2013
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2013-00035 DATED **MAR 11 2013**

- Requests for Intervention shall be filed no later than03/18/13
- Initial requests for information to Kenergy shall
be filed no later than 03/29/13
- Kenergy shall file responses to initial requests for
information no later than 04/12/13
- Supplemental requests for information to Kenergy
shall be filed no later than..... 04/26/13
- Kenergy shall file responses to supplemental requests
for information no later than..... 05/10/13
- Intervenor testimony, if any, in verified prepared
form shall be filed no later than..... 05/24/13
- All requests for information to Intervenors shall
be filed no later than 06/07/13
- Intervenors shall file responses to requests for
information no later than 06/21/13
- Last day for Kenergy to publish notice of hearing To be scheduled
- Public Hearing to be held in Hearing Room 1
of the Commission's offices at 211 Sower Boulevard,
Frankfort, Kentucky, for the purpose of cross-examination
of witnesses of Kenergy and Intervenors..... To be scheduled

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