

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KENTUCKY UTILITIES )  
COMPANY FOR AN ADJUSTMENT OF ITS ) Case No. 2012-00221  
ELECTRIC RATES )

APPLICATION OF LOUISVILLE GAS AND ELECTRIC )  
COMPANY FOR AN ADJUSTMENT OF ITS )  
ELECTRIC AND GAS RATES, A CERTIFICATE ) Case No. 2012-00222  
OF PUBLIC CONVENIENCE AND NECESSITY, )  
APPROVAL OF OWNERSHIP OF GAS SERVICE LINES )  
AND RISERS, AND A GAS LINE SURCHARGE )

ATTORNEY GENERAL'S MOTION TO DEVIATE FROM REQUIREMENT  
GOVERNING FILING OF PAPER COPIES

Comes the intervenor, the Attorney General, and moves the Commission to grant the Attorney General approval pursuant to 807 KAR 5:001, Section 14 to deviate from certain requirements of the Commission's 22 June 2012 order allowing for electronic case filing. Specifically the Attorney General requests that he be excused from filing any documents in paper medium where 1) where the combined attachments attachments to a data request are unduly voluminous and difficult, if not impossible, to reproduce within the timeframe under the procedural schedule in the case; and 2) the fact that the Attorney General has expended considerable time and resources in the filing of the electronic copy alone which leaves the Attorney General in the position that he cannot at this point produce the documents without significantly affecting his preparation of his case in chief.

The attachments which are the subject of this motion are being provided in response to Kentucky Utilities Company's and Louisville Gas and Electric Company's Request for Information 1.c., 2., and 4.<sup>1</sup> In support of his motion, the Attorney General states as follows:

On 29 June 2012, the companies filed applications proposing changes in their respective rates. On 22 June 2012 the Commission designated the cases as electronic cases whereby any participating party would file an original and one copy of all documents in paper medium in the cases, including the Attorney General's responses to the companies' requests for information, no later than two days following the uploading of the electronic copies on the Commission's website. On 10 October 2012, the companies filed requests for information to the Attorney General.

The Attorney General's response to the companies' request item 1.c. consists of 912 pages and 31.648 MB of information.

The Attorney General's response to the companies' request item 2 consists of 14,234 pages and 6.187 MB of information.

The Attorney General's response to the companies' request item 4 consists of 354 pages and 81.882 MB of information.

The information that would be required to be filed in paper medium, both in number of pages and size, but for the deviation is obviously unduly voluminous and difficult, if not impossible, to reproduce within the timeframe under the procedural schedule in the case.

---

<sup>1</sup> The questions are identical in both cases.

In addition, and as set out in the Attorney General's notice of errata and motion for enlargement filed electronically on 26 October 2012, the Attorney General experienced significant technical problems beyond his control in the uploading of his responses to the companies' requests for information<sup>2</sup>. While not stated in that pleading, the Attorney General spent two and a half days in completing the upload. Consequently, any attempt to reproduce the paper copies at this point in time would leave the Attorney General in the position that where he would not effectively prepare his case in chief in this case.

WHEREFORE, based on the above facts, the Attorney General respectfully moves the Commission to permit the Attorney General permission pursuant to 807 KAR 5:001, Section 14, to deviate from Commission's 22 June 2012 order and provide the documents in electronic medium only by filing on the Commission's website; and, allow for a deviation from the Commission's order and permit the Attorney General to provide a mailed copy of the responses on a disc to the parties.

---

<sup>2</sup> The Attorney General adopts and incorporates the statement of facts in that notice and motion as though stated herein.



**Notice of Electronic Filing, Filing, and Certificate of Service**

With regard to the foregoing pleading, undersigned counsel provides the following certification and notice: Pursuant to ordering paragraph 3 of the Commission's June 22, 2012, Order, the Attorney General files the original and one copy in paper medium and one copy in electronic medium. Per ordering paragraph 10 of the June 22, 2012 Order, undersigned counsel certifies that: (a) the electronic version is a true and accurate copy of the material filed in paper medium; (b) the electronic version has been transmitted to the Commission; and (c) there are currently no parties that the Commission has excused from participation by electronic means in this proceeding.

With regard to the electronic filing, in conformity with Ordering paragraph 3 of the June 22, 2012, Order, the Attorney General has submitted his electronic copies of the information by uploading the material to the PSC's Web Application Portal at <https://psc.ky.gov/Security/account/login.aspx> . With regard to the original and paper copy, the material will be filed at the Commission's offices no later than the second business day following the electronic filing (consistent with the instruction contained in ordering paragraph 13 of the June 22, 2012 Order).

Hon. David J. Barberie  
Hon. Jacob Walbourn  
Managing Attorney  
Lexington-Fayette Urban County Government  
Department Of Law  
200 E. Main St.  
Lexington, KY 40507  
[dbarberi@lfucg.com](mailto:dbarberi@lfucg.com)

Hon. Iris G. Skidmore  
415 W. Main Street  
Ste. 2  
Frankfort, KY 40601  
[batesandskidmore@gmail.com](mailto:batesandskidmore@gmail.com)

Hon. Michael L. Kurtz  
Hon. Kurt J. Boehm  
Hon. Jody M. Kyler  
Boehm, Kurtz & Lowry  
36 E. 7th St.  
Ste. 1510  
Cincinnati, Ohio 45202  
[mkurtz@bkllawfirm.com](mailto:mkurtz@bkllawfirm.com)  
[kboehm@bkllawfirm.com](mailto:kboehm@bkllawfirm.com)  
[jkyler@bkllawfirm.com](mailto:jkyler@bkllawfirm.com)

Lonnie Bellar  
Robert M. Conroy  
Rick E. Lovekamp  
Hon. Allyson K. Sturgeon  
Kentucky Utilities Co.  
220 W. Main St.  
Louisville, KY 40232-2010  
[rick.lovekamp@lge-ku.com](mailto:rick.lovekamp@lge-ku.com)  
[robert.conroy@lge-ku.com](mailto:robert.conroy@lge-ku.com)  
[lonnie.bellar@lge-ku.com](mailto:lonnie.bellar@lge-ku.com)  
[Allyson.Sturgeon@lge-ku.com](mailto:Allyson.Sturgeon@lge-ku.com)

Hon. Kendrick R. Riggs  
Hon. W. Duncan Crosby III  
Barry L. Dunn  
Stoll Keenon Ogden, PLLC  
2000 PNC Plaza  
500 W. Jefferson St.  
Louisville, KY 40202-2828  
[kendrick.riggs@skofirm.com](mailto:kendrick.riggs@skofirm.com)  
[duncan.crosby@skofirm.com](mailto:duncan.crosby@skofirm.com)  
[barry.dunn@skofirm.com](mailto:barry.dunn@skofirm.com)

Hon. Robert M Watt, III  
Hon. Lindsey W Ingram, III  
Hon. Monica Braun  
STOLL KEENON OGDEN PLLC  
300 W. Vine St.  
Ste. 2100  
Lexington, KY 40507-1801  
[L.Ingram@skofirm.com](mailto:L.Ingram@skofirm.com)  
[Robert.Watt@skofirm.com](mailto:Robert.Watt@skofirm.com)  
[Monica.Braun@skofirm.com](mailto:Monica.Braun@skofirm.com)

David C. Brown, Esq.  
Stites & Harbison, PLLC  
400 W. Market St., Suite 1800  
Louisville, KY 40202  
[dbrown@stites.com](mailto:dbrown@stites.com)

Matthew R. Malone, Esq.  
William H. May, III, Esq.  
Hurt, Crosbie & May PLLC  
127 W. Main St.  
Lexington, KY 40507  
[mmalone@hcm-law.com](mailto:mmalone@hcm-law.com)  
[bmay@hcm-law.com](mailto:bmay@hcm-law.com)

Eileen Ordover  
Lisa Kilkelly  
Legal Aid Society  
416 Muhammad Ali Boulevard  
Suite 300  
Louisville, KY 40202  
[eordover@laslou.org](mailto:eordover@laslou.org)  
[lkilkelly@laslou.org](mailto:lkilkelly@laslou.org)

Honorable John M Dosker  
General Counsel  
Stand Energy Corporation  
1077 Celestial Street  
Building 3, Suite 110  
Cincinnati, OHIO 45202-1629  
[JDosker@stand-energy.com](mailto:JDosker@stand-energy.com)

The electronic filing took place on October 29<sup>th</sup>, 2012 with the filing of the documents in paper medium at the Kentucky Public Service Commission scheduled for October 30<sup>th</sup>, 2012.

\_\_\_\_\_/x/\_\_\_\_\_  
Assistant Attorney General