

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:)
)
THE APPLICATION OF KENTUCKY-AMERICAN) CASE NO. 2012-00520
WATER COMPANY FOR AN ADJUSTMENT OF)
RATES ON AND AFTER JANUARY 27, 2013)

KENTUCKY-AMERICAN WATER COMPANY’S MOTION TO DEVIATE FROM
CERTAIN FILING REQUIREMENTS IN THE COMMISSION’S DECEMBER 17, 2012
ORDER

Kentucky-American Water Company (“KAWC”), by counsel, pursuant to 807 KAR 5:001, Section 14, petitions the Kentucky Public Service Commission (“Commission”) to grant KAWC approval to deviate from the filing requirement in the Commission’s December 17, 2012 Order by waiving the requirement that KAWC file a paper copy of the confidential supplemental response to Item No. 168(c) of the Attorney General’s First Request for Information. In support of this Motion, KAWC states as follows:

1. On December 17, 2012, by Order, the Commission granted KAWC permission to deviate from the requirements of 807 KAR 5:001 to permit the use of electronic filing procedures in this case. Paragraph 15(b) of the Order requires KAWC to submit a paper copy of the material for which confidential protection is sought, with the material designated by yellow highlighting or other reasonable means, as well as an electronic copy of the material on a CD-ROM.

2. KAWC discovered that it inadvertently omitted documents responsive to Item No. 168(c) from its response on February 20, 2013. KAWC’s supplemental response contains hundreds of electronic files that are maintained in an electronic hierarchical organizational structure that aids in the comprehensibility and accessibility of the files. Specifically, there are

fifty-eight folders, many of which contain subfolders, within the organizational structure. In addition, the electronic files are in a host of digital formats, including Microsoft Word, Excel, and PowerPoint. The files have been maintained exclusively in electronic format. Because the files have been maintained electronically, KAWC cannot provide the precise number of pages the electronic files would comprise if printed, but the files are certainly voluminous, constituting thousands of pages.

3. Because the response to Item No. 168(c) is voluminous and maintained exclusively in electronic form, KAWC requests a deviation from Paragraph 15(b) of the Commission's Order to permit KAWC to provide the confidential response to the Commission on a CD-ROM only, instead of providing an additional copy in paper.

4. This approach is consistent with the Motion to Deviate KAWC filed on February 20, 2013, in connection with its responses to Item Nos. 67(a)-(b) and 68(a)-(c) of Commission Staff's Second Data Request. The Motion to Deviate was granted by the Commission on February 21, 2013.

WHEREFORE, KAWC requests a deviation from Paragraph 15(b) of the Commission's December 17, 2012 Order to waive the requirement that KAWC provide a paper copy of the confidential supplemental response to Item No. 168(c) of the Attorney General's First Request for Information.

Dated: March 29, 2013

Respectfully submitted,

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CERTIFICATE

In accordance with Ordering Paragraph No. 10 of the Commission's December 17, 2012 Order, this is to certify that Kentucky-American Water Company's March 29, 2013 electronic filing is a true and accurate copy of the documents to be filed in paper medium; that the electronic filing has been transmitted to the Commission on March 29, 2013; that an original and one copy of the filing will be delivered to the Commission on March 29, 2013; and that no party has been excused from participation by electronic means.

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By Monica H. Braun

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