



JACKSON ENERGY COOPERATIVE

A Touchstone Energy Cooperative 

115 Jackson Energy Lane
McKee, Kentucky 40447
Telephone (606) 364-1000 • Fax (606) 364-1007

Jackson Energy Cooperative
115 Jackson Energy Lane
McKee, Kentucky 40447
Telephone (606) 364-1000
Fax (606) 0364-1007
www.jacksonenergy.com
lisabaker@jacksonenergy.com
markkeene@jacksonenergy.com
jimadkins25@aol.com

August 30, 2013

Mr. Jeff Derouen
Executive Director
Kentucky Public Service Commission
211 Sower Blvd.
PO Box 615
Frankfort, KY 40602-0615

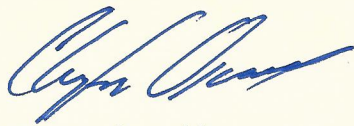
RE: Application of Jackson Energy Cooperative for an Adjustment for Rates PSC Case No.
2013-00219

Enclosed is an original of the response of Jackson Energy Cooperative for the "Commission Staff's First Request for Information to Jackson Energy Cooperative" dated July 2, 2013.

The documents filed electronically for this case are a true representation of the original provided.
The documents filed are as follows:

Cover Letter: JacksonEnergy_read1st_083013.pdf
Response: JacksonEnergy_R-PSCDR1_083013.pdf

Please let us know if you have any questions or need further information.



Clayton Oswald
Counsel for Jackson Energy Cooperative
1306 West 5th Street
Suite 100
London, KY 40741
coswald@tkolegal.com

Enclosures

CC: Attorney General
Utility Intervention and Rate Division
1024 Capital Center Drive
Frankfort, KY 40601
rateintervention@ag.ky.gov

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of Adjustment of Rates)
of Jackson Energy Cooperative) Case No. 2013-00219
)
)

MOTION FOR DEVIATION

Jackson Energy Cooperative Corporation (“Jackson Energy”), by counsel, pursuant to 807 KAR 5:001, Section 21 and all other applicable law, moves the Kentucky Public Service Commission (“PSC”) for an order permitting it to deviate from the requirements of 807 KAR 5:001, Section 16. As grounds for this motion, Jackson Energy states as follows:

1. On June 10, 2013, Jackson Energy, by letter, gave notice to the PSC that it intended to file an application for an increase in its retail rates. The PSC acknowledged that notice by letter dated June 11, 2013.
2. On August 7, 2013, Jackson Energy filed its application for an adjustment of retail rates along with supporting documentation. Included in those application materials was a copy of the notice that was given to Jackson Energy’s consumers pursuant to publication in a number of local newspapers.
3. By letter dated August 21, 2013, the Commission staff rejected Jackson Energy’s application for several reasons with one reason being that the public notice was incorrect as to the current rate for the 35 ft. Aluminum Pole for Cobra Head, which likewise caused the proposed rates for that same class to be incorrect.
4. 807 KAR 5:001, Section 16 sets forth the specific requirements that a utility must meet when giving public notice of its intent to seek an increase in its retail rates. This regulation requires that for a period of three consecutive weeks that a notice be published in local

newspapers of general circulation setting forth the utility's present rates and the proposed rates for each customer class.

5. Jackson Energy admits that its public notice failed to comply with 807 KAR 5:001, Section 16 with respect to the 35 ft. Aluminum Pole for Cobra Head class only. The notice stated that the current rate for the 35 ft. Aluminum Pole for Cobra Head is \$22.24 and that it would increase by \$.60 per year for three years. In fact, the current rate for the 35 ft. Aluminum Pole for Cobra Head is \$27.24 and Jackson Energy's application seeks an increase in that rate by \$.60 per year for three years.

6. 807 KAR 5:001, Section 21 allows for deviations from PSC regulation for good cause shown.


7. Since it received the notice of deficiency from the PSC, Jackson Energy has filed with the PSC a correct notice regarding the present and proposed rates for the 35 ft. Aluminum Pole for Cobra Head.

8. The error in the public notice was simply the result of a clerical error. As stated in the attached affidavit, Jackson Energy currently has no customers in the affected rate class, nor have any of its customers ever utilized that particular portion of the tariff. As such, the incorrect notice could not have been misleading or resulted in detrimental reliance by any customers of Jackson Energy.

9. Jackson Energy requests a deviation such that it is not required to re-publish its notice. To do so would result in significant expense that, as a cooperative, would be borne by Jackson Energy's customers. In sum, Jackson Energy's customers have not been harmed by the incorrect notice, and to publicly remedy the notice would result in financial harm to its customers.

For the foregoing reason, Jackson Energy hereby respectfully requests an order permitting deviation from the notice requirements of 807 KAR 5:001, Section 16, such that the notice already published by Jackson Energy be deemed acceptable.

Submitted this 29th day of August 2013.



Clayton O. Oswald
Taylor, Keller & Oswald, PLLC
P.O. Box 3440
1306 W. 5th St., Suite 100
London, KY 40743-3440
(606) 878-8844
Fax: (606) 878-8850
E-mail: coswald@tkolegal.com
Attorney for Jackson Energy Cooperative

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of Adjustment of Rates
of Jackson Energy Cooperative

)
)
)
)


Case No. 2013-00219

AFFIDAVIT IN SUPPORT OF
MOTION FOR DEVIATION

After first being duly sworn, the affiant, Roger Truett, states as follows:

1. I, Roger Truett, am an employee of Jackson Energy and I am knowledgeable about Jackson Energy's retail electric rates and tariffs and the number of consumers that may be subject to any individual rate.
2. I have researched the number of customers of Jackson Energy that are utilizing the rate for the 35 ft Aluminum Pole for Cobra Head and I have determined that there are currently no customers utilizing that rate.
3. In addition, I have determined that Jackson Energy has never had a customer that has used the rate for 35ft Aluminum Pole for Cobra Head since that rate has been in existence.

This concludes my testimony.



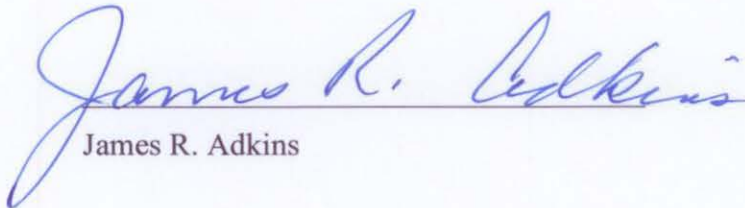
Roger Truett
Jackson Energy Cooperative

Subscribed and sworn to before me by Roger Truett on this 29th day of August 2013.

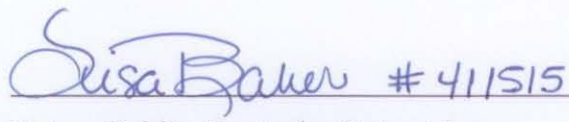
 #411515

Notary Public
My Comm. Expires: 1/19/2014

Affiant, James R. Adkins, states that the answers given by him to the foregoing questions are true and correct to the best of his knowledge and belief.


James R. Adkins

Subscribed and sworn to before me by the affiant, James R. Adkins, this 20th
day of August 2013.

 #411515
Notary Public, Kentucky State at Large

My Commission Expires 1/19/2014