

**COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION**

**In the Matter of:**

<b>JOINT APPLICATION OF LOUISVILLE GAS</b>	)	
<b>AND ELECTRIC COMPANY AND KENTUCKY</b>	)	
<b>UTILITIES COMPANY FOR REVIEW,</b>	)	
<b>MODIFICATION, AND CONTINUATION OF</b>	)	<b>CASE NO. 2014-00003</b>
<b>EXISTING, AND ADDITION OF NEW,</b>	)	
<b>DEMAND-SIDE MANAGEMENT AND ENERGY</b>	)	
<b>EFFICIENCY PROGRAMS</b>	)	

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**WALLACE MCMULLEN AND SIERRA CLUB’S MOTION  
FOR AN EXTENSION OF TIME TO FILE SUPPLEMENTAL DATA REQUESTS**

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Pursuant to paragraph 5 of the Commission’s January 30, 2014 Order, Wallace McMullen and the Sierra Club (collectively, the “Sierra Club”) respectfully request that the Commission grant Sierra Club a three-day extension of time to file supplemental information requests in the above-captioned proceeding. Louisville Gas and Electric Company and Kentucky Utilities Company (collectively, the “Companies”) provided Sierra Club with responses to its initial set of information requests on March 12, 2014, which is nine days after the response deadline and only five days before the supplemental requests are due, as provided in Appendix A of the Commission’s January 30, 2014 Order. A three-day extension of the supplemental request deadline will afford Sierra Club additional time to fully review the Companies’ initial responses and prepare supplemental information requests.<sup>1</sup> Undersigned counsel for Sierra Club

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<sup>1</sup> Note that even if the deadline for propounding supplemental information requests is extended by three days, as requested, there would be only eight days between Sierra Club receiving the Companies’ initial responses (on March 12) and filing supplemental requests (on March 20). This eight-day period is significantly shorter than the 14-day period provided for in Appendix A

has conferred with counsel for the Companies, and they do not oppose Sierra Club's request for a three-day extension. Therefore, and as detailed further below, good cause exists for the Commission to grant this motion and permit Sierra Club to submit supplemental requests for information by March 20, 2014.

### **ARGUMENT**

On January 17, 2014, the Companies filed a joint application requesting approval of their proposed Demand-Side Management ("DSM") and Energy Efficiency Program Plan and revised DSM cost recovery tariff. On January 30, the Commission issued an order specifying the procedural schedule for the case. Sierra Club filed a timely motion to intervene, which was opposed by the Companies and the Attorney General.

On February 17, 2014, during the briefing of the Sierra Club's motion to intervene,<sup>2</sup> Sierra Club timely filed its initial set of information requests. The Commission's procedural schedule required the Companies to respond to all initial information requests by March 3, 2014. The Companies did not respond to the Sierra Club's initial information requests by this date. On March 12, the Commission issued an order granting full intervention to the Sierra Club. That same day, the Companies responded to the Sierra Club's initial information requests. Thus, the Companies filed their responses to the Sierra Club's initial data requests nine days after the deadline in the Commission's procedural schedule.

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of the Commission's January 30, 2014 Order. While Sierra Club generally supports the Commission setting a 14-day period between these deadlines, in an effort to keep as close as practicable to the procedural schedule outlined in Appendix A, Sierra Club requests a limited extension of three days.

<sup>2</sup> The briefing timeline is as follows: the Companies filed objections to Sierra Club's motion to intervene on February 12, 2014; Sierra Club filed a reply in support of its motion on February 17, 2014; the Attorney General filed a "Notice of Contest," opposing Sierra Club's intervention, on February 18, 2014; and Sierra Club filed a Motion to Strike, or, in the Alternative, Reply to the Notice of Contest on February 24, 2014.

Under the existing procedural schedule, Sierra Club has only five days to review the Companies' responses to its initial information requests and submit supplemental requests. By contrast, the Companies provided responses to the initial information requests of other parties (including the Attorney General, Commission Staff and Association of Community Ministries, Inc.) by the March 3 deadline and, therefore, these parties have the full two weeks between receipt of the Companies' responses to their initial data requests and the deadline for filing their supplemental requests.

In light of these circumstances and for good cause shown, the Sierra Club seeks three additional days to review the Companies' responses to initial information requests and submit supplemental information requests. Granting this request will ensure that the Sierra Club has an amount of time to prepare supplemental information requests that is closer to the amount of time contemplated in the Commission's original schedule, and granting the extension will not unduly delay the proceeding.

### **CONCLUSION**

For the foregoing reasons, the Sierra Club respectfully requests that the Commission grant the Sierra Club a three-day extension to file supplemental information requests by March 20, 2014.

Dated: March 13, 2014

Respectfully submitted,



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#### **CERTIFICATE OF SERVICE**

I hereby certify that the electronic filing of Wallace McMullen and Sierra Club's Motion for an Extension of Time to File Supplemental Data Requests is a true and accurate copy of

Wallace McMullen and Sierra Club's Motion for an Extension of Time to File Supplemental Data Requests to be filed in paper medium; and that on March 13, 2014, the electronic filing has been transmitted to the Commission, and that an original and one copy of the filing will be delivered to the Commission, that no participants have been excused from electronic filing at this time, and electronic mail notification of the electronic filing is provided to the following:

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