

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KENTUCKY UTILITIES)	
COMPANY FOR AN ADJUSTMENT OF ITS)	
ELECTRIC RATES AND FOR)	CASE NO. 2016-00370
CERTIFICATES OF PUBLIC CONVENIENCE)	
AND NECESSITY)	

MOTION TO DEVIATE FROM RULE

Pursuant to 807 KAR 5:001, Section 22, Kentucky Utilities Company (“KU”) moves the Kentucky Public Service Commission (“Commission”) to grant KU approval to deviate from the requirement that parties upload an electronic version of all papers filed in this case to the Commission’s website using the Commission’s E-Filing System. In support of this motion, KU states:

1. On October 21, 2016, KU filed its Notice of Intent to file a rate application for a general adjustment in its electric rates and its Notice of Election of Use of Electronic Filing Procedures. KU subsequently filed its application on November 23, 2016.

2. On October 24, 2016, the Commission established this proceeding and ordered that “[a]ll documents submitted in this proceeding shall comply with the Commission’s rules of procedure as set forth in 807 KAR 5:001 and any deviation from these rules shall be submitted in writing to the Commission for consideration.”¹

3. 807 KAR 5:001, Section 8(3) provides: “All papers shall be filed with the commission by uploading an electronic version using the commission’s E-Filing System at <http://psc.ky.gov>.”

¹ *In the Matter of: Application of Kentucky Utilities Company for an Adjustment of its Electric Rates and for Certificates of Public Convenience and Necessity, Case No. 2016-00370, Order (Ky. PSC Oct. 24, 2016).*

4. Pursuant to the Commission's Rules of Procedure, KU must electronically upload to the Commission's E-Filing System all filings made in this case. The Commission's Rules of Procedure require that all uploaded non-audio or video files must be in either portable document format ("PDF") or Excel format.²

5. In Item 8 of its Supplemental Request for Information, the Kentucky School Boards Association ("KSBA") has requested: "With regard to PSC_DR2_KU_ATTACH_to_Q97 please provide the source and supporting documents of the SID Ratios in line 8773." KU used SAS software to assist in the preparation of the SID Ratios. The SAS files are in a format that is usable by that software, but that cannot be converted to either PDF or Excel format.

6. KU requests permission to deviate from 807 KAR 5:001, Section 8(3) by not uploading the requested file to the Commission's E-Filing System because the requested files total more than one gigabyte and are not in, and cannot be converted to, a permissible format. Rather, KU is requesting permission to file a copy of the SAS files with the Commission on a portable electronic storage medium and to serve a true and accurate copy of the medium on the KSBA and any other party who requests a copy.

7. KU is making its above request to deviate pursuant to 807 KAR 5:001, Section 22.

WHEREFORE, KU requests a deviation from the 807 KAR 5:001, Section 8(3) requirement that parties upload an electronic version of all papers filed in this case to the Commission's website using the Commission's E-Filing System and permission to submit its response to Item 8 of the KSBA's Supplemental Request for Information instead on a portable

² 807 KAR 5:001, Section 8(4)(b), (c).

electronic storage medium and to serve a true and accurate copy of that medium on the KSBA and any other party who requests a copy.

Dated: February 20, 2017

Respectfully submitted,



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CERTIFICATE OF COMPLIANCE

In accordance with 807 KAR 5:001, Section 8, this is to certify that Kentucky Utilities Company's February 20, 2017 electronic filing of the Motion to Deviate from Rule is a true and accurate copy of the same document being filed in paper medium; that the electronic filing has been transmitted to the Commission on February 20, 2017; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; and that an original and six copies in paper medium of the Motion are being hand delivered to the Commission within two business days from the date of the electronic filing.



Counsel for Kentucky Utilities Company