THE KROGER COMPANY’S STATEMENT CONCERNING
THE STIPULATION AND SETTLEMENT

The Kroger Company ("Kroger"), by and through counsel, hereby states that it will not object to, or withdraw from, the written Stipulation and Settlement entered into on April 19, 2017, and filed with the Public Service Commission on April 19, 2017, whether or not all schools, including private schools, are included in the optional pilot program for schools set forth in Article IV, Paragraph 4.11 of the Stipulation and Settlement.

Respectfully submitted,

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COUNSEL FOR THE KROGER COMPANY
FILING NOTICE AND CERTIFICATE

I hereby certify that the foregoing is a true and accurate copy of the same document being filed in paper medium with the Commission (which includes a cover letter serving as the required Read1st document) within two (2) business days; that the electronic filing was transmitted to the Commission on May 18, 2017; and that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding.

[Signature]

Robert C. Moore