

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

KENTUCKY INDUSTRIAL UTILITY	)	
CUSTOMERS, INC.,	)	
	)	
COMPLAINANT	)	
	)	CASE NO. 2018-00036
V.	)	
	)	
DUKE ENERGY KENTUCKY, INC.	)	
	)	
DEFENDANT	)	

**ATTORNEY GENERAL’S MOTION TO AMEND MOTION AND TO ISSUE A  
PROCEDURAL SCHEDULE**

Comes now the intervenor, the Attorney General of the Commonwealth of Kentucky, by and through his Office of Rate Intervention (“Attorney General”), and hereby requests to amend his Motion for Leave to Submit Comments, and further requests that the Commission issue a procedural schedule. On March 13, 2018, the Attorney General submitted Comments on the proposed Non-unanimous Stipulation and Settlement Agreement and requested leave to submit such comments. The Attorney General’s Motion for Leave to Submit Comments provided the parties to the Non-unanimous Stipulation and Settlement Agreement, Duke Energy Kentucky (“Duke”) and Kentucky Industrial Utility Customers, Inc. (“KIUC”), with fourteen (14) days to file response comments. The Attorney General now moves to amend that Motion, specifically, to withdraw the request for response comments.

The parties and Commission staff conducted a telephonic Informal Conference (“IC”) on March 28, 2018 in this matter, wherein “[s]taff indicated it would file requests for

information” and staff noted, “the Commission will issue a procedural schedule.”<sup>1</sup> The Attorney General no longer sees a reason for Duke and KIUC to file responses to the Attorney General’s comments if the record in this matter is not yet closed. Additionally, the Attorney General sees no reason to withdraw his comments as to the substance of the Non-unanimous Stipulation and Settlement Agreement, but rather, believes it more efficient to supplement those comments once the evidence in this case is complete. Therefore, the Attorney General moves the Commission to initiate a procedural schedule in this matter that provides for discovery, conducted by both Commission staff and parties, as well as affording an opportunity for parties to provide their positions in this case, through either comments or briefs. The Attorney General requests that should the Commission’s procedural schedule allow for comments after the conclusion of discovery, it allow the Attorney General’s initial comments to stay in the record as filed on March 13, 2018, and provide him the opportunity to supplement those comments.

WHEREFORE, the Attorney General requests that the Commission grant him leave to submit his written comments in this matter, amend his Motion for Leave to File Comments withdrawing his request for fourteen (14) days for other parties to file responses, and to issue a procedural schedule in this matter allowing discovery and comments or briefs at the conclusion of discovery.

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<sup>1</sup> Case No. 2018-00036, PSC Informal Conference memorandum (Ky. PSC April 2, 2018) at unnumbered p. 2.

Respectfully submitted,

ANDY BESHEAR  
ATTORNEY GENERAL



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