

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

ELECTRONIC APPLICATION OF)
KENTUCKY UTILITIES COMPANY FOR) CASE NO. 2018-00294
AN ADJUSTMENT OF ITS ELECTRIC RATES)

**THE KROGER COMPANY'S AND WALMART INC.'S
STATEMENT ON ELECTRONIC FILING PROCEDURES**

The Kroger Company ("Kroger") and Walmart Inc. ("Walmart"), and pursuant to 807 KAR 5:001, Section 8(9), file this Statement on Electronic Filing Procedures as required by this Kentucky Public Service Commission's ("Commission") November 9, 2018 Order. Additionally, Kroger and Walmart respond to the Commission's November 9, 2018 Order, which granted Kroger and Walmart's separately filed Motions to Intervene on a joint basis, treating Kroger and Walmart as "one party."

The Commission based its ruling -- to permit Kroger and Walmart to intervene as one party -- on its conclusion that they "propose to represent similar interests." Neither Kroger nor Walmart requested such joint treatment, and both believe that there is some potential that their positions in this litigation may diverge. Given the immediate procedural deadlines in this proceeding, rather than seeking immediate review of the Commission's November 9, 2018 Order based on a potential conflict, Kroger and Walmart are currently proceeding on a joint basis. If Kroger and/or Walmart deem that a conflict exists or that joint representation is not otherwise possible or appropriate, they each reserve the right to seek relief in order to ensure the due process interests of both parties are preserved.

STATEMENT ON ELECTRONIC FILING PROCEDURES

1. Kroger and Walmart, through the undersigned counsel, have the facilities to receive electronic transmission.

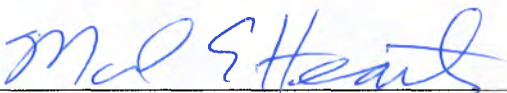
2. Through this pleading, Kroger and Walmart waive any right to service by United States mail.

3. In this proceeding, please forward all electronic messages to the following individuals:

dparker@spilmanlaw.com
mheath@spilmanlaw.com
bnaum@spilmanlaw.com
charris@spilmanlaw.com
rmoore@stites.com

4. The submittal of this Statement on Electronic Filing Procedures does not constitute a waiver of the right of Kroger or Walmart to object to, seek reconsideration of, or appeal the Order entered by the Kentucky Public Service Commission on November 9, 2018, granting full intervention to both parties on a joint basis rather than on an individual basis and ordering that Kroger and Walmart are to be considered one party rather than individual parties. As noted above, Kroger and Walmart each reserve the right to seek relief for leave to proceed as separate parties.

Respectfully submitted,

By 
Mark E. Heath (Kentucky I.D. No. 81783)
Don C. A. Parker (Kentucky I.D. No. 94113)
Spilman Thomas & Battle, PLLC
300 Kanawha Blvd, East
Charleston, WV 25301
Phone: (304) 340-3800
Fax: (304) 340-3801
E-mail: mheath@spilmanlaw.com
dparker@spilmanlaw.com

Barry A. Naum
Spilman Thomas & Battle, PLLC
1100 Bent Creek Blvd., Suite 101
Mechanicsburg, PA 17050
Phone: (717) 795-2742
Fax: (717) 795-2743
E-mail: bnaum@spilmanlaw.com

Carrie M. Harris
Spilman Thomas & Battle, PLLC
110 Oakwood Drive, Suite 500
Winston-Salem, NC 27103
Phone: (336) 631-1051
Fax: (336) 725-4476
Email: charris@spilmanlaw.com

Counsel to Walmart Inc.

By Robert C Moore *of Mal Heath*
By Permission

Robert C. Moore
STITES & HARBISON PLLC
421 West Main Street
P.O. Box 634
Frankfort, KY 40602-0634
Phone: (502) 223-3477
Fax: (502) 560-5377
E-mail: rmoore@stites.com

Counsel for The Kroger Company

Dated: November 16, 2018

CERTIFICATE OF SERVICE

I hereby certify that Walmart's November 16, 2018, electronic filing is a true and accurate copy of The Kroger Company's and Walmart Inc.'s Statement on Electronic Filing Procedures to be filed in paper medium; and that on November 16, 2018, 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 served upon the following via Electronic Mail:

Robert M. Conroy
Vice President – State Regulation and Rates
LG&E and KU Services Company
220 West Main Street
Louisville, KY 40202
robert.conroy@lge-ku.com

Allyson K. Sturgeon, Esq.
Sara V. Judd, Esq.
LG&E and KU Services Company
220 West Main Street
Louisville, KY 40202
Allyson.Sturgeon@lge-ku.com
sara.judd@lge-ku.com

Rick E. Lovekamp
Manager – Regulatory Strategy/Policy
LG&E and KU Services Company
220 West Main Street
Louisville, KY 40202
rick.lovekamp@lge-ku.com

Kendrick R. Riggs, Esq.
W. Duncan Crosby, III, Esq.
Stoll Keenon Ogden PLLC
2000 PNC Plaza
500 West Jefferson Street
Louisville, KY 40202-2828
kendrick.riggs@skofirm.com
duncan.crosby@skofirm.com

Lindsey W. Ingram, III, Esq.
Monica H. Braun, Esq.
Gerald E. Wuetcher, Esq.
Stoll Keenon Ogden PLLC
300 West Vine Street, Suite 2100
Lexington, KY 40507-1801
l.ingram@skofirm.com
monica.braun@skofirm.com
gerald.wuetcher@skofirm.com

Kent A. Chandler, Esq.
Rebecca W. Goodman, Esq.
Lawrence W. Cook, Esq.
Justin McNeil, Esq.
Office of the Attorney General
Capitol Building, Suite 118
700 Capitol Avenue
Frankfort, KY 40601
Kent.Chandler@ky.gov
Rebecca.Goodman@ky.gov
Larry.Cook@ky.gov
Justin.McNeil@ky.gov

Iris G. Skidmore, Esq.
Bates and Skidmore
415 W. Main Street, Suite 2
Frankfort, KY 40601
batesandskidmore@gmail.com

Michael L. Kurtz, Esq.
Kurt J. Boehm, Esq.
Jody Kyler Cohn, Esq.
Boehm, Kurtz & Lowry
36 East Seventh Street, Suite 1510
Cincinnati, Ohio 45202
MKurtz@bkllawfirm.com
kboehm@bkllawfirm.com
jkylercohn@bkllawfirm.com

Emily W. Medlyn, Esq.
U.S. Army Legal Services Agency
Regulatory Law Office (JALS-RL/IP)
9275 Gunston Road
Fort Belvoir, VA 22060-4446
emily.w.medlyn.civ@mail.mil

G. Houston Parrish, Esq.
Office of the Staff Judge Advocate
Building 1310, Room 218
50 3rd Avenue
Fort Knox, KY 40121-5230
glenn.h.parrish.civ@mail.mil

Laurence J. Zielke, Esq.
Janice M. Theriot, Esquire
Zielke Law Firm, PLLC
1250 Meidinger Tower
462 South 4th Street
Louisville, KY 40202
lzielke@zielkefirm.com
jtheriot@zielkefirm.com

Paul Werner, Esq.
Hannah Wigger, Esq.
Sheppard Mullin Richter & Hampton LLP
2099 Pennsylvania Avenue NW, Suite 100
Washington, DC 20006-6801
pwerner@sheppardmullin.com
hwigger@sheppardmullin.com

Joe F. Childers, Esq.
Joe F. Childers & Associates
300 Lexington Building
201 West Short Street
Lexington, KY 40507
joe@jchilderslaw.com

Matthew E. Miller, Esq.
Sierra Club
50 F Street, NW, Eighth Floor
Washington, DC 20001
matthew.miller@sierraclub.org

Tony Mendoza, Esq.
Sierra Club
2101 Webster Street, 13th Floor
Oakland, CA 94612
tony.mendoza@sierraclub.org

Matthew R. Malone, Esq.
William H. May, Esq.
Hurt, Deckard & May PLLC
127 West Main Street
Lexington, KY 40507
mmalone@hdmfirm.com
bmay@hdmfirm.com

James W. Gardner, Esq.
M. Todd Osterloh, Esq.
Sturgill, Turner, Barker & Moloney, PLLC
333 W. Vine Street, Suite 1500
Lexington, KY 40507
jgardner@sturgillturner.com
tosterloh@sturgillturner.com

Janet Graham, Esq.
David J. Barberie, Esq.
Andrea C. Brown, Esq.
Department of Law
200 East Main Street
Lexington, KY 40507
jgraham@lexingtonky.gov
dbarberi@lexingtonky.gov
abrown2@lexingtonky.gov



Mark E. Heath (Kentucky I.D. No. 81783)