

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC INVESTIGATION OF )  
COMMISSION JURISDICTION OVER ) CASE NO. 2018-00372  
ELECTRIC VEHICLE CHARGING STATIONS )

ATTORNEY GENERAL’S REPLY COMMENTS

Comes now, the Attorney General of the Commonwealth of Kentucky, by and through his Office of Rate Intervention (“Attorney General”), and provides his Reply Comments in accordance with the Kentucky Public Service Commission’s (“Commission”) November 29, 2018 Order. Although the Attorney General chose not to provide substantive initial comments, given the breadth of comments that were filed, he is providing the following information as his Reply Comments for the Commission’s consideration. The Attorney General believes the below-cited cases and documents will be of use to the Commission in its determination in this docket.

Cases

New State Ice Co. v. Liebmann, 285 U.S. 262 (U.S. 1932). Opinion and Dissent.

Boone County Water and Sewer District v. Public Service Commission, 949 S.W.2d 588 (Ky. 1997). Dissent of Justices Wintersheimer and Stumbo.

City of Olive Hill v. Public Service Commission, 203 S.W.2d 68 (Ky. 1947); negatively impacted by McClellan v. Louisville Water Company, 351 S.W.2d 197 (Ky. 1961); superseded by statute and negatively impacted by Simpson County Water District v. City of Franklin, 872 S.W.2d 460 (Ky. 1994). Opinions and Dissents.

Public Service Commission et al. v. Cities of Southgate, Highland Heights et al., 268 S.W.2d 19 (Ky. 1954), distinguished by Kentucky Public Service Commission v. Commonwealth ex rel. Conway, 324 S.W.3d 373 (Ky. 2010).

Benzinger, Police Judge, et al. v. Union Light, Heat & Power Co., 170 S.W.2d 38 (Ky. 1943).

State of North Carolina *ex rel.* Utilities Commission v. Carolina Tel. & Tel. Co., 148 S.E.2d 100 (N.C. 1966).

**Kentucky Commission Matters**

In Re. An Investigation of the Rates, Charges, Billing Practices and Provision of Utility Service by Envirotech Utility Management Services, Case No. 96-448.

In Re. Application of WKG Storage, Inc. for Rate Adjustment for Small Utilities Pursuant to 807 KAR 5:076, Case No. 2016-00053.

In Re. The Petition of Calvert City Power I, L.L.C. for Declaratory Order, Case No. 99-058.

**Other Matters**

In Re. Generic Proceeding to Determine the Commission’s Jurisdiction over Electric Vehicle Charging Stations, Docket No. 32694, Alabama Public Service Commission. In particular, “Initial Comments of Alabama Power Company,” filed December 15, 2017.

Respectfully submitted,

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