

**COMMONWEALTH OF KENTUCKY**  
**BEFORE THE PUBLIC SERVICE COMMISSION**

**In the Matter of:**

<b>ELECTRONIC TARIFF FILING OF</b>	)	
<b>KENTUCKY UTILITIES COMPANY FOR</b>	)	
<b>APPROVAL OF AN ECONOMIC</b>	)	<b>CASE NO. 2022-00395</b>
<b>DEVELOPMENT RIDER SPECIAL</b>	)	
<b>CONTRACT WITH KRUGER PACKAGING</b>	)	

**MOTION OF KENTUCKY UTILITIES COMPANY  
TO SUBMIT CASE FOR DECISION ON THE RECORD**

In response to the Kentucky Public Service Commission’s (“Commission”) November 22, 2022 Order in this proceeding directing that “KU [Kentucky Utilities Company] or any Intervenor shall request either a hearing or that the case be submitted for decision based on the record no later than ... 03/16/2023,” KU hereby moves the Commission to issue an order deciding the issues in this proceeding based upon the record because KU is unaware of any genuine issue of material fact to address in an evidentiary hearing.<sup>1</sup>

The record in this case is sufficient for the Commission to issue a final order without an evidentiary hearing. The Commission Staff has propounded, and KU has responded to, two sets of data requests. The only intervenor in this proceeding, Kruger Packaging (USA), LLC (“Kruger”), has not propounded any data requests or offered any testimony, and neither the Commission Staff nor the Companies propounded any data requests to Kruger. Thus, the factual record in this proceeding is complete and adequate for the Commission to consider and weigh the evidence and issue an order without requiring a hearing. Moreover, declining to hold a hearing and submitting the case on the record is administratively economical and avoids the need for the

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<sup>1</sup> Case No. 2022-00395, Order Appx. (Ky. PSC Nov. 22, 2022).

Commission and the parties to incur an expenditure of time, resources, and money when there are no issues of material fact.

**WHEREFORE**, Kentucky Utilities Company respectfully moves the Commission to issue an order declining to hold an evidentiary hearing in this proceeding and deciding the issues in this proceeding on the record.

Dated: March 16, 2023

Respectfully submitted,



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*Counsel for Kentucky Utilities Company*

**CERTIFICATE OF COMPLIANCE**

In accordance with the Commission's Order of July 22, 2021 in Case No. 2020-00085 (Electronic Emergency Docket Related to the Novel Coronavirus COVID-19), this is to certify that the electronic filing has been transmitted to the Commission on March 16, 2023; and that there are currently no parties in this proceeding that the Commission has excused from participation by electronic means.

A handwritten signature in blue ink, appearing to read "A. B. Smith", is written above a horizontal line.

*Counsel for Kentucky Utilities Company*