

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

**In the Matter of:**

<b>ELECTRONIC JOINT APPLICATION OF</b>	)	
<b>KENTUCKY UTILITIES COMPANY AND</b>	)	
<b>LOUISVILLE GAS AND ELECTRIC</b>	)	
<b>COMPANY FOR CERTIFICATES OF</b>	)	
<b>PUBLIC CONVENIENCE AND NECESSITY</b>	)	<b>CASE NO. 2022-00402</b>
<b>AND SITE COMPATIBILITY</b>	)	
<b>CERTIFICATES AND APPROVAL OF A</b>	)	
<b>DEMAND SIDE MANAGEMENT PLAN</b>	)	

**JOINT MOTION FOR APPROVAL TO DEVIATE FROM RULE**

Pursuant to 807 KAR 5:001, Section 22, Kentucky Utilities Company (“KU”) and Louisville Gas and Electric Company (“LG&E”) (collectively “Companies”) move the Kentucky Public Service Commission (“Commission”) to grant the Companies approval to deviate from the requirement that parties upload an electronic version of all papers filed in this case to the Commission’s website using the Commission’s E-Filing System. In support of this motion, the Companies state:

1. On November 18, 2022, the Commission established this proceeding and ordered, “All documents submitted to the Commission in this proceeding must comply with the rules of procedure adopted by the Commission found in 807 KAR 5:001, Section 8.”<sup>1</sup>

2. 807 KAR 5:001, Section 8(3) provides: “All papers shall be filed with the commission by uploading an electronic version using the commission’s E-Filing System at <http://psc.ky.gov>.”

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<sup>1</sup> *Electronic Joint Application of Kentucky Utilities Company and Louisville Gas and Electric Company for Certificates of Public Convenience and Site Compatibility Certificates and Approval of a Demand Side Management Plan*, Case No. 2022-00402, Letter at 1 (Ky. PSC Nov. 18, 2022).

3. On October 6, 2022, the Commission granted deviations for electronic filing requirements in 807 KAR 5:001, Section 8(2), (4), and (6) in Case No. 2022-00311. The deviations permit the electronic filing of zip files up to 50 MB. The Order also encourages electronic filers with electronic filing questions to contact the Commission Staff's Filings Branch for assistance.

4. In response to Joint Intervenors' ("JI") Supplemental Data Requests Item No. 2.60, the Companies are producing multiple attachments. The Companies have uploaded any file that does not exceed 50 MB to the Commission's website, but the Companies are also producing multiple files that exceed 50 MB in response to JI 2.60. The Companies' counsel contacted Commission Staff's Filings Branch to discuss the filing issues associated with the production of the multiple files that exceed 50 MB. While the Filings Branch suggested various methods to reduce the file size, the Companies are unable to reduce the files to less than 50 MB without losing the functionality of the files. Because the Companies could not reduce the files to a size that can be uploaded to the electronic filing system, the Filings Branch advised the Companies' counsel to file a Motion to Deviate and provide a thumb drive containing the large attachments to JI 2.60 to the Commission.

5. Therefore, the Companies request permission to deviate from 807 KAR 5:001, Section 8, as modified by the Commission's Order in Case No. 2022-00311, by not uploading the voluminous attachments to JI 2.60 to the Commission's E-Filing System for the reasons stated above. Rather, the Companies will provide the attachments to JI 2.60 that cannot be uploaded on a thumb drive being hand-delivered to the Commission on May 4, 2023.

6. The Companies are producing these large electronic files to the parties in this case using counsel's HighQ file sharing platform.

7. The Companies are making this request to deviate pursuant to 807 KAR 5:001, Section 22.

**WHEREFORE**, the Companies request a deviation from the 807 KAR 5:001, Section 8(3) requirement that parties upload an electronic version of all papers filed in this case to the Commission's website using the Commission's E-Filing System and permission to submit voluminous attachments to JI 2.60 as proposed in this motion.

Dated: May 4, 2023

Respectfully submitted,



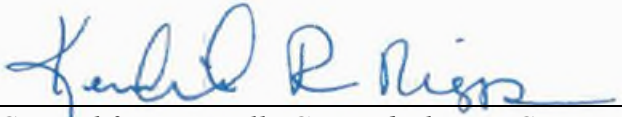
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**CERTIFICATE OF SERVICE**

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 May 4, 2023, and that there are currently no parties in this proceeding that the Commission has excused from participation by electronic means.



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*Counsel for Louisville Gas and Electric Company  
and Kentucky Utilities Company*