

**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. Pursuant to the Commission's Rules of Procedure, the Companies must electronically upload to the Commission's E-Filing System all filings made in this case. The Commission's Rules of Procedure require that all uploaded non-audio or video files must be in either portable document format ("PDF") or Excel format.<sup>2</sup>

4. 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.

5. The non-confidential zip file for Exhibits LI-6 of the Direct Testimony of Lana Isaacson, the non-confidential zip file for Exhibit TAJ-3 of the Direct Testimony of Tim A. Jones, and the non-confidential zip file for Exhibit SAW-2 of the Direct Testimony of Stuart A. Wilson are voluminous and exceed the 50 MB filing limit of the Commission's E-Filing System. In addition, to maintain order and intelligibility across such a vast set of files requires keeping intact a folder structure to organize the data.

6. The zip files for Exhibits TAJ-3 and SAW-2 also contain underlying files in formats other than PDF or Excel format.

7. 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 files to the Commission's E-Filing System for the reasons stated above. Rather, the Companies are requesting permission to produce the files using the HighQ site maintained by the Companies' counsel, which will also be used in this proceeding for confidential information. The files that are not confidential will be in a folder that will be available to the Commission and all parties to this case, as well as the public. That data is available to the public at <https://highq.in/mkqfky818n>.

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<sup>2</sup> 807 KAR 5:001, Section 8(4)(b), (c).

8. 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 Exhibits LI-6, TAJ-3, and SAW-2 as proposed in this motion.

Dated: December 15, 2022

Respectfully submitted,



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Kendrick R. Riggs  
Stoll Keenon Ogden PLLC  
500 West Jefferson Street, Suite 2000  
Louisville, Kentucky 40202-2828  
Telephone: (502) 333-6000  
Fax: (502) 627-8722  
kendrick.riggs@skofirm.com

Allyson K. Sturgeon  
Vice President and Deputy General Counsel  
PPL Services Corporation  
Sara V. Judd  
Senior Corporate Attorney  
LG&E and KU Services Company  
220 West Main Street  
Louisville, Kentucky 40202  
Telephone: (502) 627-2088  
Fax: (502) 627-3367  
ASturgeon@pplweb.com  
sara.judd@lge-ku.com  
*Counsel for Kentucky Utilities Company and  
Louisville Gas and Electric Company*

**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 December 15, 2022, 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 "Harold R. Rigns", is written over a light gray rectangular background.

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