

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

ELECTRONIC ALLEGED FAILURE OF CLARK)	CASE NO.
ENERGY COOPERATIVE, INC. TO COMPLY)	2023-00005
WITH KRS 278.160(2))	

MOTION FOR EXTENSION OF TIME

Comes now Clark Energy Cooperative, Inc., (“Clark Energy”), by and through counsel, and respectfully requests the Kentucky Public Service Commission (“Commission”) grant a 60 day extension of time, until May 30, 2023, to respond to Commission Staff’s First Request for Information (“Staff’s 1st Request”) in the above-styled case. In support of this motion, Clark Energy respectfully states as follows:

1. On February 16, 2023, the Commission issued an Order to investigate the alleged failure of Clark Energy to comply with KRS 278.160(2) (“February 16th Order”).
2. The Commission’s February 16th Order directed Clark Energy to provide all instances for which it has records where it had transferred one customer’s account to another customer’s account at a different service address. Clark Energy reviewed three years’ worth of reports (approximately 200 pages of reports per year) to determine which transfers fit the criteria from the Commission’s February 16th Order. The review of the information required to draft Exhibit A took approximately 7 hours. This work had to be mostly performed outside the normal working hours of staff due to the lack of time to complete the tasks along with the normal day-to-day job duties of the staff reviewing the information.

3. Clark Energy's billing system can produce an AR Balance Transfer report that goes back to 1999. That would require Clark Energy to do the same process it undertook for the three years included in Exhibit A to Staff's 1st Request for a 23 year period.

4. Clark Energy's AR Balance Transfer report is approximately 3400 pages. The process that must be undertaken is a manual process to review each line item contained in the AR Balance Transfer report. In Exhibit A to Clark Energy's Answer filed on March 8, 2023, Clark Energy only included the transfers that were to a different customer's account at a different service address which was what was requested in the Commission's Order. Staff's 1st Request asks for all transfers, whether it is at a different service address or not. This will entail much more research and data compilation on the part of Clark Energy.

5. Once Clark Energy determines that a balance transfer occurred from one customer's account to a different customer's account, Clark Energy must then go to a different portion of its billing system to review each of the customer accounts involved in the transfer. Multiple screens and entries have to be reviewed to determine if any billing notes are available to help determine why the balance transfer occurred. As stated above, the AR Balance Transfer report cannot differentiate between the types of balance transfers that occur. For instance, a balance transfer may occur when a joint account goes to a single account, or vice versa. Some balance transfers are actually credits and therefore must also be determined. The process that Clark Energy must undertake to determine why a balance transfer occurred, whether or not the balance transfer was paid, whether a disconnect occurred, etc. is a tedious process.

6. Reviewing each customer's account and reading through any notes contained in the account, preparing and entering the information into a spreadsheet for filing with the Commission

takes a large amount of time and Clark Energy does not have the extra personnel to devote the time required to gather this information and be able to provide it within a two-week period.

7. It appears from a quick review of the AR Balance Transfer report that from 1999 through January 2009, information regarding either the to or from customer name is missing. Clark Energy believes a software upgrade occurred that allowed more information to be contained in the AR Balance Transfer Report. In order to even determine if a balance transfer occurred from one customer's account to another customer's account for these years, Clark Energy would have to pull each account number to determine the customer's name on the accounts.

8. In order for Clark Energy to provide information to the Commission, Clark Energy must rely on billing reports and notes that may or may not exist. These notes were made by customer service representatives who, for the most part, are no longer with Clark Energy and cannot attest to the accuracy.

9. In addition to creating the spreadsheet with the requested information where available, Clark Energy will have to redact customer names from a 3400 page document and create the highlighted confidential version of a 3400 page document.

WHEREFORE, on the basis of the foregoing, Clark Energy respectfully requests that the Commission grant it a 60-day extension, until May 30, 2023, to respond to Commission Staff's Request for Information.

Dated this 17th day of March, 2023.

Respectfully submitted,



L. Allyson Honaker
HONAKER LAW OFFICE, PLLC
1795 Alysheba Way, Suite 6202
Lexington, Kentucky 40509
(859) 368-8803
allyson@hloky.com

Counsel for Clark Energy Cooperative, Inc.

CERTIFICATE OF SERVICE

This is to certify that foregoing was submitted electronically to the Commission on March 17, 2023 and that there are no parties that have been excused from electronic filing. Pursuant to prior Commission orders, no paper copies of this filing will be submitted.



Counsel for Clark Energy Cooperative, Inc.