

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

**IN THE MATTER OF:**

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

---

**MOTION TO SUBMIT CASE FOR ADJUDICATION ON THE  
ADMINISTRATIVE RECORD**

---

Comes now Clark Energy Cooperative, Inc., (“Clark Energy”), by and through counsel, pursuant to the April 11, 2023 Order (“April 11<sup>th</sup> Order”) of the Kentucky Public Service Commission (“Commission”) and other applicable law, and hereby moves the Commission to submit this case for a decision based upon the existing record and without the need for a hearing.

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 16<sup>th</sup> Order”). The February 16<sup>th</sup> Order also established a procedural schedule for this proceeding which allowed for a deadline for motions to intervene, the filing of data requests

2. On April 11, 2023, the Commission issued an Order amending the procedural schedule in this case extending the timeframe for the issuance of additional data requests, responses to those additional data requests and the deadline to request a hearing to submit the case for a decision (“April 11<sup>th</sup> Order”).

3. Clark Energy has provided all of the requested information and there were no motions for intervention in this proceeding. The April 11<sup>th</sup> Order set a deadline of May 25, 2023 for Clark Energy to request a hearing or submit this case for a decision on the existing record.

4. Clark Energy believes that the issues presented in this proceeding have been adequately addressed through the written discovery, that the administrative record is complete and that a formal evidentiary hearing is not necessary. Therefore, Clark Energy respectfully moves to submit this case for an adjudication based upon the existing administrative record without a formal evidentiary hearing.

WHEREFORE, on the basis of the foregoing information, Clark Energy respectfully moves the Commission to submit this case for a decision based on the existing administrative record and without a formal evidentiary hearing.

Dated this 19<sup>th</sup> day of May, 2023.

Respectfully submitted,



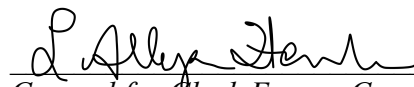
---

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 May 19, 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.*