

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

**In the Matter of:**

<b>ELECTRONIC TARIFF FILING OF BIG RIVERS</b>	)	<b>Case No.</b>
<b>ELECTRIC CORPORATION AND KENERGY</b>	)	<b>2023-00312</b>
<b>CORP. TO REVISE THE LARGE INDUSTRIAL</b>	)	
<b>CUSTOMER STANDBY SERVICE TARIFF</b>	)	

**AMENDED & UNOPPOSED MOTION TO RESCHEDULE HEARING**

Big Rivers Electric Corporation (“Big Rivers”) and Kenergy Corp. (“Kenergy”) (collectively, the “Movants”), by counsel, file their amended and unopposed motion to reschedule the Commission’s April 2, 2024 hearing in this matter. In their initial motion, Movants requested that the hearing be rescheduled to a date certain between April 9 and April 25, 2024. Movants have conferred with counsel for Domtar Paper Company, LLC (“Domtar”) and Kimberly-Clark Corporation, LLC (“Kimberly-Clark”) (collectively, the “Intervenors”), and counsel for the Intervenors have indicated that they would be agreeable to a potential rescheduling of the hearing on the following dates.

- May 1 or May 2, 2024: With one limited exception, all parties and witnesses are available on these dates. While Kimberly-Clark has indicated that its company witness Steven Cassady is unavailable on these dates, Movants would be willing to waive cross-examination of Mr. Cassady at a hearing on these dates, if that would facilitate rescheduling accordingly.<sup>1</sup> The Commission’s online hearing calendar reflects that it may be available on these dates. If the Commission schedules the hearing for these dates, Kimberly-Clark respectfully requests the Commission’s order excuse Mr. Cassady from attending the hearing.
- April 10, 2024: All parties and witnesses are available on this date. The Commission’s online hearing calendar reflects that it may be available on this date.

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<sup>1</sup> Movants acknowledge that the Commission or Staff may have cross-examination for Mr. Cassady. Similarly, while Movants are aware that Kimberly-Clark may file surrebuttal testimony on behalf of Mr. Cassady by March 18 (as contemplated by the existing procedural schedule), Movants believe that any such testimony is unlikely to present topics that will necessitate cross-examination by Movants at the hearing. In the event any such testimony were to present such a need, Movants will work in good faith with Kimberly-Clark to timely propose a universally agreeable solution.

Movants have represented to Intervenor that Movants will not seek to place the proposed tariff into effect until a final decision on the merits is made by the Commission.

As noted in the original motion, Movants respectfully request an expedited ruling on this amended and unopposed motion as soon as possible, and preferably no later than March 18, 2024, in order to comply with hearing publication requirements of applicable law. Movants state that this motion is not made for purposes of delay, and no party will be prejudiced by the requested continuance.

On this 13th day of March, 2024.

Respectfully submitted,

/s/ Edward T. Depp  
Edward T. Depp  
John D. A. Lavanga  
DINSMORE & SHOHL LLP  
101 South 5<sup>th</sup> Street, Suite 2500  
Louisville, KY 40202  
Telephone: (502) 540-2347  
Facsimile: (502) 585-2207  
tip.depp@dinsmore.com  
john.lavanga@dinsmore.com

M. Evan Buckley  
DINSMORE & SHOHL LLP  
100 West Main Street, Suite 900  
Lexington, KY 40507  
Telephone: (859) 425-1000  
Facsimile: (859) 425-1099  
evan.buckley@dinsmore.com

*Counsel to Big Rivers Electric Corporation*

**Certification**

I hereby certify that a copy of this filing has been served electronically on all parties of record through the use of the Commission's electronic filing system, and there are currently no parties that the Commission has excused from participation by electronic means. Pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085, a paper copy of this filing has not been transmitted to the Commission.

/s/ Edward T. Depp \_\_\_\_\_  
*Counsel to Big Rivers Electric Corporation*

ETD/jaw

Enclosures