

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC TARIFF FILINGS OF)
LOUISVILLE GAS AND ELECTRIC COMPANY)
AND KENTUCKY UTILITIES COMPANY TO)
REVISE PURCHASE RATES FOR SMALL) CASE NO. 2023-00404
CAPACITY AND LARGE CAPACITY)
COGENERATION AND POWER PRODUCTION)
QUALIFYING FACILITIES AND NET)
METERING SERVICE-2 CREDIT RATES)

JOINT MOTION OF
KENTUCKY UTILITIES COMPANY AND
LOUISVILLE GAS AND ELECTRIC COMPANY
TO SUBMIT CASE FOR DECISION ON THE RECORD

In response to the Kentucky Public Service Commission’s (“Commission”) December 13, 2023 Order in this proceeding directing that “LG&E [Louisville Gas and Electric Company] and KU [Kentucky Utilities Company] or any Intervenor shall request either a hearing or that the case be submitted for decision based on the record no later than ... 04/11/2024,” LG&E and KU (collectively, “Companies”) hereby move the Commission to issue an order deciding the issues in this proceeding based upon the record because the record in this case is sufficient for the Commission to issue a final order without an evidentiary hearing.

There has been ample discovery and testimony in this proceeding, which began not with an application, but rather two simple tariff update filings for the Companies’ qualifying facility and Rider NMS-2 rates. Since the Commission opened this proceeding, the Commission Staff has propounded, and the Companies have responded to, three sets of data requests. The Attorney General of the Commonwealth of Kentucky, by his Office of Rate Intervention (“AG”), has not propounded data requests or filed testimony. The other intervenors in this proceeding, Kentucky Solar Industries Association, Inc. (“KYSEIA”), and Kentucky Solar Energy Society (“KYES”)

along with Mountain Association (“MA,” collectively the “Joint Intervenors”), have propounded, and the Companies have responded to, two sets of data requests. Neither the Commission Staff nor the Companies propounded any data requests to the intervenors. Only the Joint Intervenors filed a single piece of testimony, to which the Companies responded with rebuttal testimony. Thus, particularly given the narrow scope of this proceeding, the factual record in this proceeding is complete and adequate for the Commission to consider and weigh the evidence and issue an order without requiring a hearing.

Moreover, declining to hold a hearing and submitting the case on the record is administratively economical and avoids the need for the Commission and the parties to incur an expenditure of time, resources, and money.

Finally, although the Companies do not believe briefing is necessary in this case, they will certainly participate in briefing if the Commission requests it.

WHEREFORE, Louisville Gas and Electric Company and Kentucky Utilities Company respectfully move the Commission to issue an order declining to hold an evidentiary hearing in this proceeding and deciding the issues in this proceeding on the record.

Dated: April 11, 2024

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 April 11, 2024, and that there are currently no parties in this proceeding that the Commission has excused from participation by electronic means.



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