

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

In the Matter of:

THE ELECTRONIC APPLICATION OF JACKSON	)	
PURCHASE ENEGRY CORPORATION FOR A	)	CASE NO.
GENERAL ADJUSTMENT OF RATES AND	)	2024-00085
OTHER GENERAL RELIEF	)	

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**MOTION FOR DEVIATION**

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Comes now Jackson Purchase Energy Corporation (“Jackson Purchase”), by counsel, respectfully requests the Kentucky Public Service Commission (“Commission”), pursuant to 807 KAR 5:001, Section 22, and other applicable law to grant a deviation of certain portions of the notice requirement in 807 KAR 5:001, Section 9(2). Respectfully, Jackson Purchase states as follows:

1. On May 1, 2024, Jackson Purchase filed an application requesting an adjustment of rates. On August 23, 2024, the Commission entered an order setting a Formal Hearing in this matter on December 16, 2024.

2. 807 KAR 5:001, Section 9(2) requires a utility to provide notice of a hearing either by publication in a newspaper or by mailing notice to customers.<sup>1</sup> If the notice of the hearing is provided by newspaper publication, the notice must be published no less than seven (7) days and no more than twenty-one days (21).<sup>2</sup>

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<sup>1</sup> 807 KAR 5:001, Section 9(2)(b)(2) and 807 KAR 5:001, Section 9(2)(b)(3).

<sup>2</sup> 807 KAR 5:001, Section 9(2)(b)(2).

3. Jackson Purchase has the opportunity to publish notice of the December 16, 2024 Hearing in the December issue of *Kentucky Living* magazine. This will be mailed to members on, or about, December 1, 2024. Due to the length of time between the date the hearing was scheduled and the hearing date, Jackson Purchase also has the ability to coordinate with *Kentucky Living* for the December 2024 edition to be provided to all customers of Jackson Purchase, including those members that normally opt-out of receiving the magazine. A copy of the notice that will be provided to *Kentucky Living* is attached as Appendix A to this motion.

4. 807 KAR 5:001, Section 9(2)(a)(1) requires that a utility bear the cost of publication of the notice of a hearing. Due to an arraignment with Big Rivers Electric Corporation (“BREC”), Jackson Purchase does not pay any fees for publication in *Kentucky Living*, nor will Jackson Purchase pay any fee to have *Kentucky Living* sent to the members who normally opt-out.

5. While rate case expense recovery is at the discretion of the Commission, it is typical for utilities to be allowed to recover the cost of publication of notice. In this case, Jackson Purchase has the opportunity to publish notice at no cost which will also eliminate a request to recover the expense of publication.

6. Jackson Purchase will supplement the record at the time of publication with a copy of the notice and publisher’s affidavit.

WHEREFORE, Jackson Purchase respectfully requests the Commission grant a deviation of 807 KAR 5:001, Section 9(2) pursuant to 807 KAR 5:001, Section 22 and permit Jackson Purchase to publish notice of the December 16, 2024 Formal Hearing by publication in *Kentucky Living*.

Dated this 24<sup>th</sup> day of September, 2024.

Respectfully submitted,

*Heather S. Temple*

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**CERTIFICATE OF SERVICE**

This is to certify that the electronic filing was transmitted to the Commission on September 24, 2024, and that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding. Pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085 no paper copies of this filing will be made.

*Heather S. Temple*

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*Counsel for Jackson Purchase*

# **ATTACHMENT A**

## **NOTICE OF PUBLIC HEARING**

Notice is hereby given that the Kentucky Public Service Commission (the “Commission”) will conduct a hearing at 9:00 a.m. Eastern Daylight Time on Monday, December 16, 2024, in the Richard Raff Hearing Room 1 at the Commission’s offices at 211 Sower Boulevard, Frankfort, Kentucky, 40602, for the purposes of cross-examination of witnesses of Jackson Purchase Energy Corporation (“Jackson Purchase”) in PSC Case No. 2024-00085, regarding Jackson Purchase’s Application for a rate increase. This notice is provided in compliance with 807 KAR 5:001, Section 9(2)(b). This hearing will be streamed live and may be viewed on the PSC website, [psc.ky.gov](http://psc.ky.gov). Public comments may be made at the beginning of the hearing. Those wishing to make oral public comments may do so by following the instructions listed on the PSC website, [psc.ky.gov](http://psc.ky.gov).