

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF KENTUCKY)	
UTILITIES COMPANY AND LOUISVILLE GAS)	
AND ELECTRIC COMPANY FOR CERTIFICATES)	CASE NO.
OF PUBLIC CONVENIENCE AND NECESSITY)	2025-00045
AND SITE COMPATIBILITY CERTIFICATES)	

JOINT MOTION FOR APPROVAL TO DEVIATE FROM RULE

Pursuant to 807 KAR 5:001, Section 22, Kentucky Utilities Company (“KU”) and Louisville Gas and Electric Company (“LG&E”) (collectively “Companies”) move the Kentucky Public Service Commission (“Commission”) to grant the Companies approval to deviate from the requirement that parties upload an electronic version of all papers filed in this case to the Commission’s website using the Commission’s E-Filing System. In support of this motion, the Companies state:

1. On February 28, 2025, the Companies filed their Application for Certificates of Public Convenience and Necessity and Site Compatibility Certificates.
2. 807 KAR 5:001, Section 8(3) provides: “All papers shall be filed with the commission by uploading an electronic version using the commission’s E-Filing System at <http://psc.ky.gov>.”
3. Pursuant to the Commission’s Rules of Procedure, the Companies must electronically upload to the Commission’s E-Filing System all filings made in this case. The Commission’s Rules of Procedure require that all uploaded non-audio or video files must be in either portable document format (“PDF”) or Excel format.¹

¹ 807 KAR 5:001, Section 8(4)(b), (c).

4. On October 6, 2022, the Commission granted deviations for electronic filing requirements in 807 KAR 5:001, Section 8(2), (4), and (6) in Case No. 2022-00311.² The deviations permit the electronic filing of zip files up to 50 MB.

5. The following non-confidential zip files are voluminous and exceed the 50 MB filing limit of the Commission's E-Filing System (collectively, "Large Files"): Exhibit SAW-2 and Exhibit TAJ-2. The zip files are collections of smaller files in folder structures that are vital to their usefulness and comprehensibility, which necessitated filing them this way rather than as individual files.

6. The Companies' counsel contacted Commission Staff in the Filings Branch for assistance regarding the file sizes per the Commission's guidance in Case No. 2022-00311. Commission Staff suggested the Companies provide the Large Files to the Commission using a thumb drive.

7. The Companies request permission to deviate from 807 KAR 5:001, Section 8, as modified by the Commission's Order in Case No. 2022-00311, by not uploading the voluminous files to the Commission's E-Filing System for the reasons stated above. Rather, the Companies are requesting permission to produce the files to the Commission using a thumb drive as proposed by Commission Staff. As an additional means of providing the Large Files to Commission Staff, the Companies will also provide copies of the Large Files on its counsel's file sharing workspace that is used to provide access to confidential information.

8. This request to deviate will not prevent the Commission from maintaining physical control of the case filings. Commission Filings Branch Staff and the Commission's Executive

² *Electronic Review of Electronic Filing Procedures in 807 KAR 5:001, Section 8(2), (4), and (6)*, Case No. 2022-00311, Order at 3 (Ky. PSC Oct. 6, 2022).

Director will have physical control of the documents on the thumb drive with the ability to download the material to a secure Commission server.³

9. The Companies are making this request to deviate pursuant to 807 KAR 5:001, Section 22.

WHEREFORE, the Companies request a deviation from the 807 KAR 5:001, Section 8(3) requirement that parties upload an electronic version of all papers filed in this case to the Commission’s website using the Commission’s E-Filing System and permission to submit the Large Files as proposed in this motion.

³ See *Electronic Joint Application of Kentucky Utilities Company and Louisville Gas and Electric Company for Certificates of Public Convenience and Necessity and Site Compatibility Certificates and Approval of a Demand Side Management Plan*, Case No. 2022-00402, Order at 3-4 (Ky. PSC Dec. 22, 2022); see also KRS 278.100 (“The executive director . . . shall be responsible for . . . maintaining the official records of commission proceedings[.]”).

Dated: February 28, 2025

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 February 28, 2025, and that there are currently no parties in this proceeding that the Commission has excused from participation by electronic means.



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

4902-8225-7441.1