COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF KENTUCKY UTILITIES COMPANY FOR AN ADJUSTMENT OF ITS ELECTRIC RATES AND APPROVAL OF CERTAIN REGULATORY AND ACCOUNTING TREATMENTS	**)**	**CASE NO. 2025-00113**

KENTUCKY UTILITIES COMPANY'S
MOTION FOR DEVIATION

Pursuant to 807 KAR 5:001, Section 22 and 807 KAR 5:011, Section 15, Kentucky Utilities Company ("KU" or the "Company") respectfully moves the Kentucky Public Service Commission (the "Commission") for an order granting KU approval to deviate from the notice requirements in the above-captioned proceeding because the Company has substantially complied with the Commission's notice regulations. In support of this motion, KU states as follows:

1. On April 4, 2025, KU filed its Notice of Intent to file a rate application for a general adjustment of its electric rates, changes to its tariffs, and approval of certain regulatory and accounting treatments. KU subsequently filed its application on May 30, 2025.

2. On May 5, 2025, the Commission issued an order approving KU's proposal to publish an abbreviated version of the full 807 KAR 5:001 Section 17(4) notice (the "Abbreviated Notice") in newspapers of general circulation in the Company's service territory.[1]

3. On May 15, 2025, KU delivered the Abbreviated Notice to the Kentucky Press Service, Inc. ("Kentucky Press"), an organization that acts on behalf of newspapers of general circulation in the Company's service territory. KU requested in writing that Kentucky Press

[1] On June 25, 2025, the Company filed an updated version of both its Abbreviated Notice and full Section 17(4) notice in compliance with ordering paragraph 4 of the Commission's June 16, 2025 Order.

publish the Abbreviated Notice once a week for three consecutive weeks beginning no later than the May 30, 2025, filing date which would mean the last publication would need to occur no later than Friday, June 13, 2025, in all newspapers of general circulation in KU's service territory.[2]

4. KU requests a deviation because one (1) newspaper of general circulation, *The Leitchfield Grayson News*, failed to timely publish the third week of notice by June 13, 2025. When KU contacted Kentucky Press to request an explanation for the failure to publish within the Company's requested timeframe, representatives of Kentucky Press explained that *The Leitchfield Grayson News* is published once weekly on Saturdays and, therefore, published Abbreviated Notice for a third time on June 14, 2025.

5. In addition to publishing the Abbreviated Notice in the aforementioned newspapers of general circulation, KU has taken additional measures to ensure that its customers are aware of its Application and rate case proceeding. Specifically, and pursuant to the Commission's May 5, 2025 Order, the Company provided notice to its customers in the following additional ways:

- Making a complete copy of the full 807 KAR 5:001 Section 17(4) notice available upon request via mail or email;
- Posting the following on the publicly visible outside doors of its offices in Lexington: (1) the Abbreviated Notice, and (2) a hyperlink to the location on the Commission's website where rate documents and tariff filings are available;
- Beginning with the first billing cycle after May 30, 2025, including a bill insert during the Company's regular billing cycle showing the requested annual increase in dollars and percentages and the effect on the average monthly bill

[2] The complete list of newspapers that published KU's abbreviated notice, with dates of publication, is contained within Exhibit A to the Certificate of Completed Notice being filed concurrently with this Motion.

in dollars and percentages for all rate classes and including a hyperlink to the full Section 17(4) notice;

- Issuing press advisories to all known news media organizations who cover the areas within the Company's certified service territory notifying them of the filing of KU's application and directing them to the location of the case documents and tariff filings on the Company's and the Commission's website; and
- Posting the abbreviated notice on the Company's website, and, on May 30, 2025, updating KU's website to contain the complete public version of the Company's Application.

6. Finally, the Company notes that the newspapers with the largest circulation in the commonwealth, *The Lexington Herald-Leader* and *The Courier-Journal*, timely published the abbreviated notice for three consecutive weeks beginning on May 28, 2025, and May 30, 2025, respectively.

7. The purpose of the Commission's notice regulation is to ensure that the public has sufficient notice of KU's application such that it has "an ample opportunity to become sufficiently informed on the public question involved."[3] By publishing notice in the newspapers of general circulation in its service territory for three consecutive weeks and implementing the additional measures approved in the Commission's May 5, 2025 order, KU has fulfilled the purpose of the notice requirement.

[3] *Conrad v. Lexington-Fayette Urban County Government*, 659 S.W.2d 190, 195 (Ky. 1983) (citing *Queenan v. City of Louisville*, 233 S.W.2d 1010 (Ky. 1950)). *See also Lyon v. County of Warren*, 325 S.W.2d 302 (Ky. 1959) (holding that publishing notice of bond referendum outside of statutory time limits, accompanied by media attention and other means, constituted sufficient notice to the public).

8. The Commission has full authority to permit KU to deviate from the publication requirements pursuant to 807 KAR 5:001 Section 22 and 807 KAR 5:011, Section 15.

9. Because KU is in substantial compliance with the publication requirements of 807 KAR Section 17(2) and 807 KAR 5:011 Section 8(2), and because the notice measures described herein provided the Company's customers with ample opportunity to become sufficiently informed of this proceeding, good cause exists for the Commission to permit the Company to deviate from the requirement of the regulations and to accept the publication of notice of KU's application as sufficient.

WHEREFORE, Kentucky Utilities Company respectfully requests that the Commission:

(a) Grant approval pursuant to 807 KAR 5:001, Section 22 and 807 KAR 5:011, Section 15 to deviate from the notice requirements of 807 KAR 5:001, Section 17(2) and 807 KAR, Section 8 (2); and

(b) Accept the Company's publication of notice of its Application as sufficient.

Dated: July 14, 2025

Respectfully Submitted,

/s/

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CERTIFICATE OF SERVICE

In accordance 807 KAR 5:001, Section 8 as modified by 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 July 14, 2025; and that there are currently no parties in this proceeding that the Commission has excused from participation by electronic means.

/s/
Counsel for Kentucky Utilities Company