

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION OF KENTUCKY

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In the Matter of:

Application of Big Rivers Electric)
Corporation for a General) Case No. 2013-00199
Adjustment in Rates)

MOTION FOR DEVIATION

Pursuant to 807 KAR 5:001 Section 21, Big Rivers Electric Corporation (“Big Rivers”) hereby moves the Public Service Commission of the Commonwealth of Kentucky (the “Commission”) for deviation from: (i) the requirement in 807 KAR 5:001 Section 7 that Big Rivers file a hard copy original and ten paper copies of its responses to certain data requests; and (ii) the requirement in 807 KAR 5:001 Section 13 that Big Rivers file a highlighted hard copy and ten redacted hard copies of material containing confidential information submitted pursuant to a petition for confidential treatment.

Big Rivers is filing with this motion its responses to the Commission Staff’s Second Requests for Information and the Initial Requests for Information of the Office of the Attorney General (“AG”), Kentucky Industrial Utility Customers, Inc. (“KIUC”), and Ben Taylor and the Sierra Club (“SC”). Except as described below, Big Rivers’ responses contain a hardcopy original and ten paper copies of its narrative responses and all attachments.

With respect to the first group of documents, for which Big Rivers seeks permission to deviate from 807 KAR 5:001 Section 7, Big Rivers has produced certain responsive documents in electronic format. These files have been produced electronically for one or more of three reasons: (i) if printed, the files would be approximately one hundred (100) pages or more and would overburden the paper record in this matter; (ii) the files are designed for electronic

viewing or contain information, such as formulas, only viewable in electronic format; and/or (iii) the files were requested electronically in the corresponding data request. PUBLIC files are produced electronically on the black, PUBLIC thumb drive; CONFIDENTIAL files are produced electronically on the yellow, CONFIDENTIAL thumb drive. The PUBLIC electronic files have been served on all parties of record; the CONFIDENTIAL electronic files have been served on all parties that have signed a confidentiality agreement. One hard copy of the files is being filed with the Commission, unless the file(s) were requested electronically or the hardcopy would be abnormally large or unreadable if printed. The documents produced electronically consist of responses to the following requests.

TABLE 1 <i>(Deviation from 807 KAR 5:001 Section 7)</i>			
Requesting Party	Data Request Round	Electronic Files Produced in Response to the Following Requests	One Hardcopy Produced for the Following Requests
PSC Staff	2-xx	14, 16, 21, 22	16
AG	1-xxx	15, 22, 23, 73, 75, 98, 121, 125, 127, 129, 132, 135, 136, 137, 139, 146, 147, 150, 154, 163, 164, 194, 196, 199, 200, 202, 226, 227, 237, 253, 254, 262, 264, 265	22, 23, 73, 75
KIUC	1-xx	2, 12, 40, 61, 92	92
SC	1-xx	20, 25, 26	20, 26

With respect to the second group of documents, for which Big Rivers seeks permission to deviate from 807 KAR 5:001 Section 13, Big Rivers has produced certain CONFIDENTIAL materials for which the pervasive nature of the confidential information makes the production of

ten redacted, public versions of these documents ineffectual and unhelpful to the Commission, the parties, and the public. Big Rivers has not produced a redacted, public version of these documents that have been produced confidentially on paper. Likewise, it has not produced a redacted, public version of these documents that have been produced confidentially in electronic format. This group of documents consists of responses to the following requests.

TABLE 2 <i>(Deviation from 807 KAR 5:001 Section 13)</i>		
Requesting Party	Data Request Round	Confidential Responses for which No Redacted, Public Copy Was Produced
PSC Staff	2-xx	14, 22
AG	1-xxx	5, 23, 52, 98, 102, 108, 121, 125, 126, 127, 129, 137, 139, 141, 146, 154, 163, 164, 196, 202, 226, 227, 237, 245, 265
KIUC	1-xx	12, 29, 39, 40, 42, 43, 61
SC	1-xx	20, 25

WHEREFORE, Big Rivers respectfully requests that the Commission enter an order granting Big Rivers deviation from 807 KAR 5:001 Sections 7 and 13 to: (i) produce the attachments identified in Table 1, above, in electronic format; and (ii) omit PUBLIC, redacted copies of the CONFIDENTIAL responses identified in Table 2, above.

On this the 3rd day of September, 2013.

Respectfully submitted,



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Certificate of Service

I certify that a true and accurate copy of the foregoing was or will be served by Federal Express or by hand delivery upon the persons listed on the attached service list, on the date this motion is filed with the Kentucky Public Service Commission or the following day.

On this the 3rd day of September, 2013,



Counsel for Big Rivers Electric Corporation