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April 18, 2019

PARTIES OF RECORD

RE: Case No. 2018-00181  
SANCTUARY CHURCH V. LOUISVILLE GAS AND ELECTRIC COMPANY

Attached is a copy of a memorandum which is being filed in the record of the above-referenced case. If you have any comments you would like to make regarding the contents of the memorandum, please do so within five days of receipt of this letter. If you have any questions, please contact Quang Nguyen, Assistant General Counsel, at (502) 782-2586.

Sincerely,

A handwritten signature in blue ink that reads "Gwen R. Pinson".

Gwen R. Pinson  
Executive Director

QN/ch

Attachments

**INTRA-AGENCY MEMORANDUM**  
**KENTUCKY PUBLIC SERVICE COMMISSION**

**TO:** Case File – Case No. 2018-00181

**FROM:** Quang D. Nguyen, Assistant General Counsel

**DATE:** April 18, 2019

**RE:** Informal Conference of April 10, 2019

Pursuant to an Order issued on March 25, 2019, an informal conference (IC) was held at the Commission's offices in Frankfort, Kentucky, on April 10, 2019. The IC was held at the request of Sanctuary Church for the purpose of determining a hearing date and identify other arrangements necessary for the future handling of this matter. The attendance sheet for IC is attached to this memo.

After brief introductions and a summary of the informal conference protocol, Louisville Gas and Electric Company's (LG&E) counsel articulated the utility's position that an evidentiary hearing is not needed given that there are no genuine issues of material facts and the resolution of this matter involves the legal issue concerning the interpretation of the tariff language applicable to LG&E's General Service Rate Schedule (Rate GS) and whether Sanctuary Church could be eligible to be grandfathered such that it could receive electric service from LG&E under Rate GS. LG&E's counsel also cited to the Commission's decision in Case No. 2005-00389 in support of the utility's position. Lastly, LG&E counsel addressed Sanctuary Church's request that it be provided reduced rate services pursuant to KRS 278.170(2) to the extent Sanctuary Church is not allowed to be grandfathered under Rate GS. LG&E's counsel indicated that the utility, at its discretion, has never provided free or reduced to any entities or persons referenced in KRS 278.170(2), including its own employees and that the utility has never proposed or implemented a tariff to effectuate such an offering. LG&E's counsel lastly stated that KRS 278.170(1) prohibits it from providing preferential treatment to Sanctuary Church and that if it provided reduced rates to Sanctuary Church LG&E would have to provide that to all churches within its service territory. In lieu of an evidentiary hearing, LG&E's position is that the parties could brief the legal issue or that a hearing for purposes of oral arguments be scheduled.

Sanctuary Church's counsel expressed agreement with having the issues in this matter be briefed but left open the possibility of requesting a hearing for purposes of oral arguments. Sanctuary Church's counsel indicated that it would want to discuss with LG&E regarding stipulation of facts. The parties then discussed whether there was a need to come to an agreement on certain facts, with LG&E indicating that the facts were not relevant to the determination of the legal issue at bar and Sanctuary Church indicating the need for the development of an evidentiary record. Ultimately, the parties agreed to

a briefing schedule which would require Sanctuary Church to file its brief by no later than 30 days from the date of this informal conference (or May 10); LG&E to file its response brief 15 after the filing of Sanctuary Church's brief (or May 28); and Sanctuary Church to file its reply brief 15 days after LG&E's response brief (or June 12).

There being no further discussion, the IC was then adjourned.

QN/ch  
Attachments

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

SANCTUARY CHURCH	)	
	)	
COMPLAINANT	)	
	)	
V.	)	CASE NO. 2018-00181
	)	
LOUISVILLE GAS AND ELECTRIC COMPANY	)	
	)	
DEFENDANT	)	

Informal Conference – April 10, 2019

Please sign in:

NAME	REPRESENTING
<u>Quang D. Nguyen</u>	<u>PSC</u>
<u>Ivey Workman</u>	<u>Sanctuary Church</u>
<u>Andre Regard</u>	<u>Sanctuary Church</u>
<u>Jara Judd</u>	<u>LG&amp;E</u>
<u>Jim Stevens</u>	<u>PSC</u>
<u>David Daniel</u>	<u>LG&amp;E</u>

Michael Hornung

LG+E

Robert Conroy

LG+E

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