

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC CONSIDERATION OF THE)	CASE NO.
IMPLEMENTATION OF THE NET)	2019-00256
METERING ACT)	

ORDER

This matter arises upon a letter from the Kentucky Resources Council¹ requesting that the procedural schedule be amended to extend the deadline for filing written comments until the close of the public comment hearing on November 13, 2019. The procedural schedule was amended on September 5, 2019, to extend the deadline for filing written comments from September 20, 2019, to October 15, 2019, and to reschedule the public comment hearing from October 1, 2019, to November 13, 2019.

As a basis for the request, the Kentucky Resources Council stated that experts are drafting written comments on the implementation of the Net Metering Act and that an extension of time to file comments will allow for a more thorough review of the comments prior to submitting them into the record of this proceeding. Additionally, the Kentucky Resources Council asserted that, due to a recent event, many Kentuckians have only recently become aware of this proceeding and that allowing an extension of time will assure as complete a record as is possible. Finally, the Kentucky Resources Council maintained that extending the comment period will not result in prejudice to any person or to the Commission.

¹ Kentucky Resources Council's letter is attached as an appendix to this Order.

Based on the letter and case record, the Commission finds that Kentucky Resources Council failed to establish good cause to amend the procedural schedule for a second time, and therefore its request should be denied. The Commission previously extended the period for filing written comments by almost four weeks to ensure that those utilities, stakeholders, and interested persons who planned to file expert witness comments had sufficient time to do so. As for awareness by the general public, 55 comments have been filed by the general public as of the date of this Order. Extending the comment period as requested would significantly shorten the time for the Commission to thoughtfully consider and evaluate comments prior to the public comment hearing and prior to implementing the ratemaking process under the Net Metering Act. As is customary, the Commission will permit all persons appearing at the public comment hearing on November 13, 2019, to submit a written version of their remarks, as well as any supporting materials they deem appropriate.

IT IS THEREFORE ORDERED that Kentucky Resource Council's request to amend the procedural schedule is denied.

By the Commission

ENTERED
OCT 14 2019
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


Executive Director

Case No. 2019-00256

APPENDIX

AN APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2019-00256 DATED **OCT 14 2019**

TWO PAGES TO FOLLOW



KENTUCKY RESOURCES COUNCIL

213 St. Clair Street, Suite 200
Post Office Box 1070
Frankfort, Kentucky 40602
Phone: 502-875-2428
Fax: 502-875-2845
fitz@kyc.org
www.kyrc.org

WORKING FOR JUSTICE IN ENVIRONMENTAL POLICY

Tom FitzGerald
Director

Board of Directors

Joe Childers
Chair

Betsy Rudd Bennett

Dr. Larry Cook

Sarah Lynn Cunningham

Arnita Gadson

Jim Hays

Adam Johnson

Roger Shott

October 9, 2019

Ms. Gwen Pinson, Director
Public Service Commission of Kentucky
211 Sower Boulevard
Frankfort, Kentucky 40601
By email Gwen.Pinsn@ky.gov

Re: Request For Extension Of Written Comment Period
Case No. 2019-00256

Dear Ms. Pinson:

I'm writing to request that the Commission amend the existing procedural schedule in Case No. 2019-00256 to extend the written comment period until the close of the public hearing on November 13, 2019, rather than October 15. I make that request for several reasons:

1. I am aware that at least two experts in the field of net metering and rate design have been retained by interested organizations and are still preparing their written comments. The extension would allow a more thorough vetting of those draft comments prior to submittal for the record.
2. This past weekend was the National Solar Tour, and there were several venues across the Commonwealth in which persons interested in solar energy in Kentucky first became aware of this pending Administrative Case and have expressed interest in commenting. Allowing the additional time for written comment would be of benefit both to those individuals and to assuring as complete a record as is possible.
3. The extension of the written comments period to be coterminous with the close of the hearing would assist those who have not yet been able to submit comments but who would not be able to take time from work to attend the November 13 hearing.
4. No prejudice would result to any other person, since I would anticipate that staff and the Commissioners would not begin to review the record until after the close of the public hearing on November 13. To the extent that staff were to begin review after October 15, the extension of the written comment

period would allow additional comments to be received during the period prior to the hearing rather than all being submitted on November 13 at the hearing, hopefully providing additional time to review the comments and fewer substantive comments being submitted on the date of the hearing.

The Kentucky Resources Council appreciates the opening of Case No. 2019-00256 by the Commission and the solicitation of public comment concerning the implementation of Senate Bill 100. I appreciate in advance any consideration that may be given to have the written comment period end in a manner coterminous with the close of the public hearing on November 13 rather than on October 15.

Cordially,

A handwritten signature in black ink, appearing to read 'Tom FitzGerald', with a long horizontal flourish extending to the right.

Tom FitzGerald
Director

Cc: Hon. Nancy Vinsel (by email)

