

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF DUKE ENERGY)	CASE NO.
KENTUCKY, INC. TO AMEND ITS DEMAND SIDE)	2019-00277
MANAGEMENT PROGRAMS)	

ORDER

On January 31, 2020, Duke Energy Kentucky, Inc. (Duke Kentucky) and the Attorney General of the Commonwealth of Kentucky, by and through the Office of Rate Intervention (Attorney General) filed a joint motion requesting the Commission extend the date for the parties to file a request for a hearing or request that the matter be submitted for a decision on the record. Pursuant to the procedural schedule, the parties were to file said request on January 31, 2020. Duke Kentucky and the Attorney General request an additional 30 days, or until March 2, 2020, in order to explore the possibility of reaching a settlement of all issues prior to deciding whether to request a hearing or that the matter be submitted for a decision on the written record.

Pursuant to an Order entered on September 9, 2019, the effective date of Duke Kentucky's proposed demand-side management (DSM) tariffs were suspended through April 1, 2020. Under the September 9, 2019 Order, the earliest that Duke Kentucky's proposed DSM tariff rates can be effective is April 2, 2020. If the Commission grants the joint motion to extend the date to file a request for a hearing or a decision on the written record, then there would be only 22 business days to process the case and issue a final Order before the April 2, 2020 effective date, instead of 43 business days under the

existing procedural schedule. While the Commission commends the parties for pursuing a settlement, 22 business days does not provide sufficient time for the Commission to either conduct a robust review of a potential settlement or hold a hearing, and timely issue a final Order. Because granting the motion would result in an abbreviated amount of time in which to complete the Commission's review and render a decision, the Commission finds that the request, in its current form, would result in an undue burden. However, we would find it reasonable to extend the procedural date from January 31, 2020, to March 2, 2020, on the condition that Duke Kentucky commit to extending the effective date of the DSM tariff by 30 days, from April 2, 2020, to May 2, 2020. To that end, the Commission defers its decision on the joint motion and directs Duke Kentucky to file written notice within five days of the date of this Order on whether it will agree to implement an effective date of May 2, 2020, for its DSM tariff.

IT IS THEREFORE ORDERED that Duke Kentucky shall file written notice within five days of the date of entry of this Order on whether it will extend the effective date of its DSM tariff by 30 days, from April 2, 2020, to May 2, 2020.

By the Commission

ENTERED
FEB 10 2020
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


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