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COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

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PUBLIC SERVICE COMMISSION

SEP 0 5 2019

IN THE MATTER OF:

APPLICATION OF BIG RIVERS ELECTRIC CORPORATION FOR ENFORCEMENT OF RATE AND SERVICE STANDARDS

CASE NO. 2019-00269

CITY OF HENDERSON, KENTUCKY AND HENDERSON UTILITY COMMISSION, d/b/a HENDERSON MUNICIPAL POWER & LIGHT'S MOTION TO FILE OUT OF TIME

The City of Henderson, Kentucky, and the Henderson Utility Commission, d/b/a Henderson Municipal Power & Light (jointly referenced hereinafter as "Henderson"), by counsel, and pursuant to 807 KAR 5:001(5), hereby move the Kentucky Public Service Commission for leave to file the attached response to the motion of Big Rivers Electric Corp. for an informal conference outside the time limits prescribed by 807 KAR 5:001(5)(2). As grounds for said motion, Henderson states that it was not granted to leave to intervene in this action until August 29, 2019, two days after the date on which Big Rivers filed its motion. Preparation of a response was then delayed due to counsel's participation in mandatory continuing legal education and due to the holiday weekend. Henderson believes that the time for filing its response is properly computed from the date Henderson was granted leave to intervene as a party. However, to the extent a response was due within seven (7) days of the date the motion was filed, Henderson requests an Order allowing the response to be filed outside the prescribed time limits.

Respectfully submitted,

hn N. Hughes (y (permission)

Hon. John N. Hughes Attorney at Law Professional Service Corporation 124 West Todd Street Frankfort, Kentucky 40601 Telephone: (502) 227-7270 jnhughes@johnnhughespsc.com

and

<u>/s/Sharon W. Farmer</u> Hon H. Randall Redding Hon. Sharon W. Farmer King, Deep & Branaman 127 North Main Street, P.O. Box 43 Henderson, Kentucky 42419-0043 Telephone: (270) 827-1852 <u>rredding@kdblaw.com</u> <u>sfarmer@kdblaw.com</u>

Attorneys for Henderson Utility Commission, d/b/a Henderson Municipal Power & Light

/s/Dawn Kelsey (w/permission)

Hon. Dawn Kelsey City Attorney City of Henderson 222 First Street Henderson, Kentucky 42420 *Attorney for City of Henderson*

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing was forwarded this 5th day of September, 2019, via U.S. Mail, postage prepaid, or via facsimile, electronic mail, and/or hand delivery, to the following:

Tyson Kamuf Laura Chambliss Big Rivers Electric Corp. 201 Third Street, P.O. Box 727 Henderson, Kentucky 42419-0024

Michael L. Kurtz Kurt J. Boehm Jody Kyler Cohn Boehm, Kurtz & Lowry 36 East Seventh Street, Suite 1510 Cincinnati, Ohio 45202

Attorneys for Big Rivers Electric Corp.

Original to:

Ms. Gwen R. Pinson Executive Director Kentucky Public Service Commission 211 Sower Boulevard, P.O. Box 615 Frankfort, Kentucky 40602-0615

/s/Sharon W. Farmer