

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF LOUISVILLE)	
GAS AND ELECTRIC COMPANY FOR)	CASE NO.
RENEWAL AND PROPOSED MODIFICATION OF)	2019-00437
ITS PERFORMANCE-BASED RATEMAKING)	
MECHANISM)	

ORDER

On December 27, 2019, Louisville Gas and Electric Company (LG&E) filed an application requesting a renewal and modification of its Experimental Performance Based Ratemaking (PBR) mechanism, which is set to expire on October 31, 2020. LG&E further requests that the Commission authorize the extension and modification of the PBR mechanism no later than June 1, 2020.¹ LG&E argues that authorization by June 1, 2020, will allow it adequate time to adjust its gas supply portfolio and supply strategies in response to LG&E's proposed modifications to the PBR mechanism prior to the November 1, 2020, effective date of the new mechanism.²

Having reviewed LG&E's application, the Commission finds that a procedural schedule should be established to investigate the PBR mechanism as well as the reasonableness of the proposed renewal and modifications. LG&E's application will be processed as expeditiously as possible, but due to the need to investigate the PBR mechanism in depth, the Commission cannot grant LG&E's request to issue a decision

¹ Application at 3–4.

² *Id.* at 4.

by June 1, 2020. The procedural schedule is attached as an Appendix to this Order and incorporated herein.

All requests for intervention should be filed by January 24, 2020. As set forth in 807 KAR 5:001, Section 4(11)(a), a person requesting permissive intervention in a Commission proceeding is required to demonstrate either (1) a special interest in the proceedings which is not adequately represented in the case, or (2) that the person requesting permissive intervention is likely to present issues or develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings. Further, KRS 278.040(2) requires that a person seeking intervention must have an interest in the rates or service of a utility, as those are the only matters that are subject to the Commission's jurisdiction.

Based on the foregoing, the Commission further finds that any person requesting to intervene in a Commission proceeding must state with specificity the person's special interest that is not adequately represented, or the issues and facts the person will present that will assist the Commission in fully considering the matter. A mere recitation of the quantity of natural gas consumed by the movant or a general statement regarding a potential impact of a possible modification of rates will not be deemed sufficient to establish a special interest.

IT IS THEREFORE ORDERED that:

1. The procedural schedule set forth in the Appendix to this Order shall be followed in this proceeding.
2. a. Responses to requests for information shall be appropriately bound, tabbed, and indexed and shall include the name of the witness responsible for responding

to the questions related to the information provided, with copies to all parties of record, the original and an electronic version to the Commission. Responses that are required to be provided on electronic medium shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked.

b. Each response shall be answered under oath, or for representatives of a public or private corporation or a partnership or an association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

c. Any party shall make timely amendment to any prior response if it obtains information which indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect.

d. For any request to which a party fails or refuses to furnish all or part of the requested information, that party shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

e. Careful attention should be given to copied material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request.

f. A party filing a paper containing personal information shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read.

3. Any party filing a paper with the Commission shall file an electronic copy in accordance with the electronic filing procedures set forth in 807 KAR 5:001, Section 8, and shall also file the original in paper medium. The original in paper medium shall be appropriately bound, tabbed, and indexed.

4. Any motion to intervene filed after January 24, 2020, shall also show good cause for being untimely. If the untimely motion is granted, the movant shall accept and abide by the existing procedural schedule.

5. LG&E shall give notice of the hearing in accordance with the provisions set out in 807 KAR 5:001, Section 9(2)(b). In addition, the notice of hearing shall include the following statement: "This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov." At the time publication is requested, LG&E shall forward a duplicate of the notice and request to the Commission.

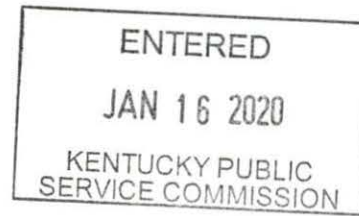
6. At any public hearing in this matter, neither opening statements nor summarization of direct testimonies shall be permitted.

7. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), a digital video recording shall be made of the hearing.

8. The Commission does not look favorably upon motions for continuance. Accordingly, motions for extensions of time with respect to the schedule herein shall be made in writing and will granted only upon a showing of good cause.

9. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

By the Commission



ATTEST:

Steven R. Punsar

Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2019-00437 DATED **JAN 16 2020**

A person interested in becoming a party to this proceeding shall file a motion to intervene with the Commission pursuant to 807 KAR 5:001, Section 4(11), no later than 01/24/20

All initial requests for information to LG&E shall be filed no later than..... 02/07/20

LG&E shall file responses to initial requests for information no later than 02/21/20

All supplemental requests for information to LG&E shall be filed no later than..... 03/06/20

LG&E shall file responses to supplemental requests for information no later than..... 03/20/20

Intervenor testimony, if any, in verified prepared form, shall be filed no later than 04/03/20

All requests for information to Intervenors shall be filed no later than..... 04/17/20

Intervenors shall file responses to requests for information no later than..... 05/01/20

LG&E shall file rebuttal testimony, if any, no later than..... 05/15/20

LG&E or any Intervenor shall request either a hearing or file a statement that this case may be submitted for a decision based on the existing record no later than..... 05/29/20

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