

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF KENTUCKY)	
UTILITIES COMPANY FOR APPROVAL OF ITS)	CASE NO.
2020 COMPLIANCE PLAN FOR RECOVERY BY)	2020-00060
ENVIRONMENTAL SURCHARGE)	

ORDER

On March 31, 2020, Kentucky Utilities Company (KU) filed an application requesting approval of its 2020 Environmental Compliance Plan (2020 Plan) and amendments to its Environmental Cost Recovery Surcharge tariff to reflect its 2020 Environmental Compliance Plan. KU asserts that the projects included in its 2020 Plan are required by the United States Environmental Protection Agency's 2015 Effluent Limitations Guidelines (ELG) Rule and that such costs are properly recoverable under KRS 278.183. KU's proposed 2020 Environmental Compliance Plan includes an ELG water treatment system, a wastewater diffuser, and a bottom ash transport water recirculation system at Ghent Generating Station (collectively, Project 43) and the construction of an ELG water treatment system at Trimble County Generating Station (Project 44). KU asserts that Certificates of Public Convenience and Necessity are not necessary for the systems contained in its 2020 Plan.

Having reviewed KU's application, the Commission finds that an investigation will be necessary to determine the reasonableness of the request. To provide for orderly consideration of this application, the Commission further finds that a procedural schedule should be established in this case.

IT IS THEREFORE ORDERED that:

1. The procedural schedule set forth in the Appendix to this Order shall be followed.

2. a. Responses to requests for information shall include the name of the witness responsible for responding to the questions related to the information provided, with an original in paper medium and an electronic version to the Commission. Documents in paper medium shall be appropriately bound, tabbed, and indexed. Electronic documents 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. 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 testimony shall comply with the electronic filing procedures set forth in 807 KAR 5:001, Section 8, and shall file with the Commission an original in paper and an electronic version. The copy in paper medium shall be appropriately bound, tabbed, and indexed.

4. The Commission directs all parties to the Commission's March 16, 2020 and March 24, 2020 Orders in Case No. 2020-00085,¹ regarding filings with the Commission. The Commission expects the original documents to be filed with the Commission within 30 days of the lifting of the current state of emergency.

5. KU 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, KU shall forward a duplicate of the notice and request to the Commission.

6. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), the official record of the proceeding shall be by video only.

7. Any motion to intervene filed after the date set forth in the Appendix shall show a basis for intervention and good cause for being untimely, and must state with specificity the person's special interest that is not otherwise adequately represented, or

¹ Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC Mar. 16, 2020), Order at 5–6. Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC Mar. 24, 2020), Order at 1–3.

the issues and facts the person will present that will assist the Commission in fully considering the matter. If the untimely motion is granted, the movant shall accept and abide by the existing procedural schedule.

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

9. Motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause.

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

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By the Commission

ENTERED
APR 15 2020 rcs
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Executive Director

Case No. 2020-00060

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2020-00060 DATED APR 15 2020

Requests for intervention shall be filed by 05/01/20

All initial requests for information to KU shall
be filed no later than..... 05/08/20

KU shall file responses to initial requests for
information no later than 05/22/20

All supplemental requests for information to KU shall be filed
no later than 06/08/20

KU shall file responses to supplemental requests
for information no later than 06/22/20

Intervenor testimony, if any, in verified prepared form, shall
be filed no later than..... 07/01/20

All requests for information to intervenors shall be filed no
later than 07/13/20

Intervenors shall file responses to requests for information
no later than 07/24/20

KU shall file rebuttal testimony, if any, no later
than 08/05/20

Last day for KU or Intervenors to request a hearing
or submit this case for decision based on the record 08/07/20

Decision due 09/29/20

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