

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF CLARK	)	
ENERGY COOPERATIVE, INC. FOR A	)	CASE NO.
DEVIATION FROM 807 KAR 5:011, SECTION	)	2021-00088
8(2) AND (3)	)	

ORDER

On February 3, 2021, Clark Energy Cooperative, Inc. (Clark Energy) filed, through the Commission’s electronic Tariff Filing System, two new proposed tariff schedules to implement an Economic Development Rider and a new Large Industrial Rate schedule. As part of its filing, Clark Energy requested a deviation from 807 KAR 5:011, Section 8(2) and (3), which set out the requirements for how notice is to be given and what proof of notice must be filed with the Commission.

Clark Energy indicated that it has prepared a notice and posted it in accordance with 807 KAR 5:011, Section 8(1), which requires that notice be posted at a utility’s place of business no later than the date a tariff filing is submitted to the Commission and that notice and a hyperlink to the location on the Commission’s website where the tariff filing is available be posted on the utility’s website within five business days of the date the tariff filing is submitted to the Commission.

Due to the fact that Clark Energy does not have any customers currently taking service under the two proposed rate schedules, Clark Energy argues that approval of the two proposed tariffs would have no impact on the amount any customer pays or on the quality, delivery, or rendering of service to any customer. Clark Energy also argues that

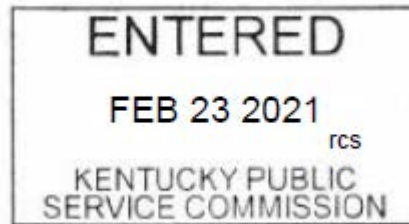
the benefits of providing customer notice through a mailing or publication in a newspaper or Kentucky Living would be negligible, while also imposing a cost of several thousand dollars upon Clark Energy.

Having reviewed the request for deviation and being otherwise sufficiently advised, the Commission finds that Clark Energy's request for a deviation from the notice requirements set forth in 807 KAR 5:011, Section 8(2) and (3) is reasonable and should be granted due to the fact that providing notice pursuant to 807 KAR 5:011, Section 8(2) would impose a significant cost on Clark Energy with very little benefits given that there are no customers on either of the proposed new tariffs.

IT IS HEREBY ORDERED that:

1. Clark Energy's request for a deviation from the notice requirements set forth in 807 KAR 5:011, Section 8(2) and (3) is granted.
2. This case is closed and removed from the Commission's docket.

By the Commission



ATTEST:



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Executive Director

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