

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC TARIFF FILING OF KENTUCKY)	
UTILITIES COMPANY FOR APPROVAL OF AN)	CASE NO.
ECONOMIC DEVELOPMENT RIDER SPECIAL)	2022-00371
CONTRACT WITH BITIKI-KY, LLC)	

ORDER

On March 31, 2023, Kentucky Utilities Company (KU) filed a motion to reschedule the hearing scheduled for April 12, 2023. KU stated that it would be unable to timely publish notice of the hearing in compliance with 807 KAR 5:001E Section 9(2)(b)(2). Upon receiving the Commission’s Order scheduling the hearing, KU contacted Kentucky Press Association Inc, and was informed that the earliest the notice could run in the Lexington Herald Leader and Louisville Courier-Journal would be two days prior to the hearing, which is outside the time required by Section 9(2)(b)(2). KU also stated that several other publications would not be able to publish the required notice until after the hearing was held. KU requested the hearing be continued to any date during the weeks of May 16 or 23, 2023.

On April 6, 2023, Kentuckians for the Commonwealth, Kentucky Solar Energy Society, Mountain Association, and Kentucky Council, Inc. filed a joint response stating no opposition to the change in the hearing date, but requested that the proposed date of May 16th, not be used due to a conflict.

Having considered the motion, the Commission finds that the formal hearing in this matter should be rescheduled because KU has established good cause for a continuance

in this matter. Good cause exists because 807 KAR 5:001E, Section 9(2)(b)(2) requires notice of a hearing be published not less than seven days before a hearing and not more than 21 days before a hearing. If the hearing was held as originally scheduled, KU customers would not receive timely notice before the hearing and thus would not be informed of their ability to comment on the proposed contract. Upon review of the Commission and Commission Staffs' schedules and existing conflicts on May 23, 2023, the hearing shall be rescheduled for May 31, 2023.

IT IS HEREBY ORDERED that:

1. The motion to reschedule the hearing is granted.
2. A hearing in this matter shall be held on May 31, 2023, at 9 a.m. Eastern Daylight Time, in the Richard Raff Hearing Room at the offices of the Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky.
3. Pursuant to 807 KAR 5:001E, Section 2, if the hearing is not concluded on the designated day, the hearing shall be continued upon verbal announcement by the presiding officer. A verbal announcement made by the presiding officer shall be proper notice of the continued hearing.
4. Witnesses who sponsor schedules, testimony, or responses to requests for information shall participate in person at any hearing scheduled in this matter.
5. KU shall give notice of the hearing in compliance with 807 KAR 5:001E, Section 9(2)(b). In addition, the notice of hearing shall include the following statements: "This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov" and "Public comments may be made at the beginning of the hearing. Those wishing to make oral public comments may do so by following the instructions listed on the PSC

website, psc.ky.gov.” At the time the notice is mailed or 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 5:001E, Section 9(9), a digital video transcript shall be made of the hearing.

7. If any changes are to be made to the witness list filed by KU, KU shall notify the Commission at least five days prior to the hearing.

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PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner



ATTEST:


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