

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF NAVITAS KY)	CASE NO.
NG, LLC FOR AN ALTERNATIVE RATE FILING)	2024-00252
PURSUANT TO 807 KAR 5:076)	

ORDER

On August 16, 2024, Navitas KY NG, LLC (Navitas) filed a letter with the Commission requesting a deviation from being required to file a Statement of Adjusted Operations (SAO) as part of its alternative rate filing (ARF) as noted in a deficiency letter filed into the record on August 7, 2024. Navitas is permitted to request a deviation for good cause via “letter to the commission” pursuant to 807 KAR 5:076, Section 17. In that letter, Navitas requested a deviation on the grounds that it did not believe any revenue or expense items had changed from its 2023 Annual Report, its proposed test year in its application.

The Commission has reviewed the deviation request and finds that a deviation is not required. An SAO is not required to be filed by 807 KAR 5:076. An ARF Form-1 is required to be filed by 807 KAR 5:076, Section 4(1)(a). ARF Form-1, line 10, states:

10. Applicant has reason to believe that some of the revenue and expense items set forth in its most recent annual report have or will change and proposes to adjust the test period amount of these items to reflect these changes. A statement of the test period amount, expected changes, and reasons for each expected change is set forth in the attachment “Statement of Adjusted Operations.” **(Attach a completed copy of appropriate “Statement of Adjusted Operations” Attachment and any invoices, letters, contracts, receipts or other documents that support the expected change in costs.)**

Line 10 includes two check boxes labeled “YES” and “NO.” Navitas’s ARF Form-1 (pictured above) included a check in the “NO” box.¹ The Commission finds that line 10’s requirement to attach a complete copy of the SAO is contingent on checking “YES” because checking “NO” indicates that no adjustments will be sought, and the SAO would merely be a reiteration of information found in the test-year Annual Report and ARF Form-1.


The Commission notes that although filing an SAO is not a filing requirement if “NO” is checked on line 10 of the ARF Form-1, Commission Staff may request that a utility provide an SAO in requests or information, as the SAO may be the most efficient method of aggregation of information from multiple sources for Commission Staff and customer review.

IT IS THEREFORE ORDERED that:

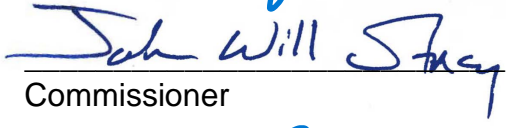
1. Navitas’s August 16, 2024 request for a deviation from being required to file an SAO is denied as moot.
2. Navitas’s shall not be required to file an SAO as a filing requirement.
3. Navitas’s ARF filing shall not be effective until Navitas corrects all the remaining deficiencies set forth in the deficiency letter filed into the record on August 29, 2024.

¹ ARF-1 Form (filed Aug. 2, 2024) at 3.


PUBLIC SERVICE COMMISSION



Chairman



Commissioner



Commissioner

ENTERED

SEP 13 2024

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KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



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