

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF KENTUCKY	)	
UTILITIES COMPANY AND LOUISVILLE GAS	)	CASE NO.
AND ELECTRIC COMPANY FOR CERTIFICATES	)	2025-00045
OF PUBLIC CONVENIENCE AND NECESSITY	)	
AND SITE COMPATIBILITY CERTIFICATES	)	

ORDER

On July 25, 2025, Kentucky Utilities Company (KU) and Louisville Gas and Electric Company (LG&E) (jointly, LG&E/KU) requested the Commission grant approval, pursuant to 807 KAR 5:001, Section 22, to deviate from the notice publication requirements related to public comment meetings held on July 7 and July 14, 2025, scheduled in the Commission's June 26, 2025 Order.

MOTION

LG&E/KU stated that, when the Commission issued its June 26, 2025 Order, the companies reached out the same day to Kentucky Press Service, Inc. (Kentucky Press), an organization that acts on behalf of newspapers of general circulation throughout the Commonwealth of Kentucky in which customers affected reside, to alert Kentucky Press of the impending need to publish public notice.<sup>1</sup> On Friday, June 27, 2025, LG&E/KU explained that they delivered the required public notice to Kentucky Press and asked to have the notice published one time as soon as possible to attempt to comply with 807

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<sup>1</sup> Joint Motion of LG&E/KU for Approval to Deviate From the Rules (Motion) (filed July 25, 2025) at 1-2.

KAR 5:001, Section 9(2)(b)(2) to the greatest reasonable extent.<sup>2</sup> LG&E/KU stated that Kentucky Press directed each newspaper, in writing, to publish the public notice as soon as possible.<sup>3</sup>

LG&E/KU explained that despite the efforts of the companies and Kentucky Press, none of the newspapers were able to publish the notice a full seven days prior to the first public meeting scheduled for July 7, though all the newspapers that published the notice were able to do so prior to the July 7 meeting.<sup>4</sup> LG&E/KU explained that the two newspapers with the largest circulation in Kentucky, *The Lexington Herald Leader* and *The Courier-Journal*, published the notice on July 1 and July 2, 2025, respectively.<sup>5</sup>

LG&E/KU averred that despite the efforts of the companies and Kentucky Press, multiple newspapers failed to publish the notice at all.<sup>6</sup> Specifically, as shown in the Notarized Proof of Publication, the following newspapers failed to publish the notice:<sup>7</sup>

1. *Brandenburg Meade Co. Messenger* (circulation: 2,663);
2. *Cynthiana Democrat* (circulation: 2,330);
3. *The Fulton Leader* (The Current) (circulation: 640);
4. *Hodgenville LaRue Co. Herald News* (circulation: 2,111);
5. *Lawrenceburg Anderson News* (circulation: 1,207)
6. *Liberty Casey Co. News* (circulation: 1,586);

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<sup>2</sup> Motion at 2.

<sup>3</sup> Motion at 2.

<sup>4</sup> Motion at 2.

<sup>5</sup> Motion at 2.

<sup>6</sup> Motion at 2.

<sup>7</sup> Motion at 2-3.

7. *New Castle Henry Co. Local* (circulation: 2,586);
8. *Springfield Sun* (circulation: 1,447); and
9. *Williamstown Grant County News* (circulation: 1,708).

LG&E/KU argued that because they are in substantial compliance with the publication requirements of 807 KAR 5:001, Section 9(2)(b), good cause exists for the Commission to permit the Companies to deviate from the requirement of the regulations and to accept the publication of the customer notice as sufficient.<sup>8</sup>

### LEGAL STANDARD

Commission regulation 807 KAR 5:001, Section 9(2)(b) states that if notice of a hearing is published by the applicant in a newspaper, it shall be published at least one time and not less than seven nor more than 21 days prior to the hearing in a newspaper of general circulation in the areas that will be affected. Commission regulation 807 KAR 5:001, Section 22 states that in special cases, for good cause shown, the commission may permit deviations from these rules.

### DISCUSSION AND FINDINGS

Having considered the motion and being otherwise sufficiently advised, the Commission finds that the motion for deviation from the requirements set 807 KAR 5:001, Section 9(2)(b) pursuant to 807 KAR 5:001, Section 22 should be granted for good cause shown. LG&E/KU delivered the notice to Kentucky Press more than seven days before the public comments meeting, and through no fault of LG&E/KU, some newspapers published late or not at all. Also, *The Lexington Herald Leader* and *The Courier-Journal*, published the notice on July 1 and July 2, 2025, which was only one and two days less

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<sup>8</sup> Motion at 3.

than the required seven days. The Commission finds that LG&E/KU have substantially complied with the regulation.

IT IS THEREFORE ORDERED that LG&E/KU's motion for a deviation is granted.

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Commissioner

  
Commissioner

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