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**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of March 02, 2025***2023-00276**

RECEIVED: 10/02/23

FILED: 10/02/23

FINAL: 01/07/25

REOPENED: 08/19/24

SUSPENSION DATE: 04/01/24

**CASE CODE**

General Rates

**UTILITIES:**

Kenergy Corp.

**HEARINGS:**

12/02/24

Informal Conference

**INDEX OF EVENTS:**

01/07/25

Order Entered: 1. Kenergy's proposed revisions to its "fixed" budget billing plan, as described in its petition for rehearing, are approved for services rendered on and after October 1, 2025. Likewise, the levelized budget billing plan is approved for services rendered on and after October 1, 2025. 2. Within 20 days of the date of service of this Order, Kenergy shall file with the Commission, using the Commission's electronic Tariff Filing System, its revised tariff sheets reflecting that the current "fixed" budget billing plan will expire September 30, 2025, that the proposed "fixed" budget billing plan and levelized budget billing plan will be effective October 1, 2025, and reflecting that the revisions were authorized pursuant to this Order. 3. This case is now closed and removed from the Commission's docket.

12/09/24

Letter Filing IC Memo and Attendance Roster into the Record

11/26/24

Order Entered: 1. Kenergy's motion for an IC is granted. 2. Kenergy's motion for an extension of time is granted. 3. An IC is scheduled on December 2, 2024, at 11 a.m. Eastern Standard Time. 4. Commission Staff will contact participants by electronic mail to provide details for joining the conference by video link. 5. Kenergy shall file its response to Staff's Third Rehearing Request no later than December 12, 2024.

11/22/24

Nicholas D Kafer Response to Staffs 3rd Rehearing Request

11/13/24

Nicholas D Kafer Kenergy Corp. Motion for Informal Conference and Extension of Time

11/12/24

COMMISSION STAFF'S THIRD REHEARING REQUEST FOR INFORMATION TO KENERGY CORP.

11/04/24

Nicholas D. Kafer Kenergy Corp. Motion to Submit

10/28/24

Nicholas D. Kafer Kenergy Kenergys Verified Response to Commission Staffs Second Rehearing Request for Information

10/16/24

COMMISSION STAFF'S SECOND REHEARING REQUEST FOR INFORMATION TO KENERGY CORP.

10/11/24

Lawrence Cook Kentucky Office of the Attorney General OAG Notice and Recommendation on Rehearing

10/04/24

Nicholas D Kafer Kenergy Corp Kenergys Verified Response to Commission Staffs Request for Information

09/27/24

COMMISSION STAFF'S REHEARING REQUEST FOR INFORMATION TO KENERGY CORP.

09/05/24

Order Entered: 1. Kenergy's petition for rehearing is granted. 2. The procedural schedule set forth in the Appendix to this Order shall be

followed. 3. Kenergy shall respond to all requests for information propounded by Commission Staff, whether identified on the procedural schedule or otherwise, as provided in those requests. 4. The remainder of the July 31, 2024 Order not in conflict with this Order remains in effect.

08/19/24

Nicholas D Kafer Kenergy Corp. Petition for Rehearing on limited issue of consequential changes to tariff

07/31/24

Final Order Entered: 1. The rates and charges proposed by Kenergy are denied. 2. The rates and charges, as set forth in Appendix B to this Order, are approved as fair, just and reasonable rates for Kenergy, and these rates and charges are approved for service rendered on and after the date of entry of this Order. 3. Kenergy's proposal to remove the Rural Economic Reserve Adjustment Rider from its tariff is approved. 4. Kenergy's proposal to implement a Levelized Budget Billing Payment Plan, as revised herein, is approved. 5. Kenergy's proposal to terminate the current Budget Billing Plan is denied. 6. Kenergy's proposal to remove from its tariff the option for customers to pay one-half of their deposit prior to providing service and making installments for the remaining half over a period not to exceed the first two normal billing periods is denied. 7. Kenergy's proposal to clarify that residential deposits may be waived at the time service is requested is approved. 8. Kenergy's proposal to increase the residential deposit amount to \$366 is approved. 9. Kenergy's

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proposed revisions to the Partial Payment Plan section of its tariff is approved. 10. Within 20 days of the date of service of this Order, Kenergy shall file its revised tariffs, setting out the rates, charges, and modifications approved or as required herein and reflecting that they were authorized pursuant to this Order. 11. This case is closed and removed from the Commission's docket.

03/13/24 Order Entered: pursuant to KRS 278.190(2), Kenergy shall maintain its records in such manner as will allow it, the Commission, or any customer to determine the amounts to be refunded, and to whom, in the event a refund is ordered upon final resolution of this matter.

03/13/24 j CHRISTOPHER HOPGOOD Kenergy Corp. Read First Letter

03/06/24 Lawrence Cook Kentucky Office of the Attorney General OAG Final Brief

03/06/24 j CHRISTOPHER HOPGOOD Kenergy Corp. Read First letter

02/26/24 Order Entered: 1. The procedural schedule established on January 16, 2024, is amended. 2. Kenergy and the Attorney General's joint motion to file written briefs on the matter is granted. 3. All parties that choose to do so may file a brief in support of their respective positions on or before March 6, 2024. 4. All parties that choose to do so may file a reply brief, responding to issues raised in other parties' respective briefs, on or before March 13, 2024. 5. This case shall stand submitted for a decision by the Commission effective 12:01 a.m. Eastern Daylight Time on March 14, 2024.

02/26/24 J Christopher Hopgood Kenergy Corp. Notice of Intent to Place Rates into Effect Subject to Refund

02/14/24 J Christopher Hopgood Kenergy Joint Motion to Waive Formal Hearing

02/09/24 Steve Thompson Kenergy Rebuttal Testimony

01/29/24 Steve Thompson Kenergys Response to the Commission Staffs Fourth Request for Information

01/29/24 Lawrence Cook Kentucky Office of the Attorney General OAGs Responses to Data Requests of Staff and Kenergy

01/19/24 COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO ATTORNEY GENERAL OF THE COMMONWEALTH OF KENTUCKY, BY AND THROUGH THE OFFICE OF RATE INTERVENTION

01/19/24 COMMISSION STAFF'S FOURTH REQUEST FOR INFORMATION TO KENERGY CORP.

01/18/24 J Christopher Hopgood Kenergy Corp. Data Requests to Attorney General

01/16/24 Order Entered: 1. The procedural schedule established on October 12, 2023, is amended. 2. Supplemental requests for information to Kenergy shall be filed no later than January 19, 2024, with responses to those requests due no later than January 29, 2024. 3. The date for Kenergy or any Intervenor to request a hearing or that the case be submitted for decision based on the record shall be no later than February 16, 2024. 4. All provisions of the Commission's October 12, 2023 Order that are in conflict with the provisions of this Order are vacated, and all other provisions not in conflict with the provisions of this Order shall remain in effect.

01/03/24 Lawrence Cook Kentucky Office of the Attorney General OAG Direct Testimony

12/22/23 J Christopher Hopgood Kenergy Corp. Supplement to AGs Data Requests - Items 1, 9, 13 45

12/20/23 J Christopher Hopgood Kenergy Corp. Second Supplemental Data Response; Staff 1, Item 38(c)

12/18/23 J Christopher Hopgood Kenergy Corp. Supplement to Attorney General Data Requests 25(l)

12/14/23 Steve Thompson Response to Attorney Generals 2nd Request for Information

12/14/23 Steve Thompson Response to Commission Staffs 3rd Request for Information

12/13/23 J Christopher Hopgood Kenergy Corp. Amended Petition for Confidentiality Supplement

12/13/23 J Christopher Hopgood Kenergy Corp. Notice of Filing Supplementing Responses to AGs Initial Requests

12/08/23 The Commission HEREBY ORDERS, nunc pro tunc, that: 1. The reference to East Kentucky Power Cooperative, Inc. (EKPC) on page 3, question 5(b) is stricken and replaced with Big Rivers Electric Corporation (BREC). 2. All other provisions of Staff's Third Request that are not in conflict with the terms of this Order shall remain in effect.

12/04/23 J Christopher Hopgood Kenergy Corp. Supplement to AG Data Requests; Excel spreadsheet

12/04/23 IT IS THEREFORE ORDERED that Kenergy refile, as set forth in this Order, its petition for confidential treatment for its responses to Attorney General's First Request within 14 days of this Order.

12/04/23 J Christopher Hopgood Kenergy Corp. Kenergys Supplement to AG Data Requests

12/01/23 J Christopher Hopgood Kenergy Corp. Supplemental Response to Staffs First Data Request, Items 38(c)

12/01/23 Lawrence Cook Kentucky Office of the Attorney General OAGs SUPPLEMENTAL DATA REQUESTS

11/30/23 COMMISSION STAFF'S THIRD REQUEST FOR INFORMATION TO KENERGY CORP.

11/20/23 J Christopher Hopgood Kenergy Corp. Supplemental Responses to AGs Data Requests

11/14/23 J Christopher Hopgood Kenergy Corp. Petition for Confidential Treatment as to Certain AG Data Request Responses

11/14/23 Steve Thompson Kenergy response to the Attorney General first data request

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11/14/23 Steve Thompson Kenergy response to PSC second data request  
10/31/23 Order Entered: 1. Kenergy's petition for confidential treatment is granted. 2. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for indefinite period or until further Order of this Commission. 3. Use of the designated material granted confidential treatment by this Order in any Commission proceeding shall comply with 807 KAR 5:001, Section 13(9). 4. Kenergy shall inform the Commission if the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment. 5. If a nonparty to this proceeding requests to inspect the material granted confidential treatment by this Order and the period during which the material has been granted confidential treatment has not expired, Kenergy shall have 30 days from receipt of written notice of the request to demonstrate that the material still falls within the exclusions from disclosure requirements established in KRS 61.878. If Kenergy is unable to make such demonstration, the requested material shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection. 6. The Commission shall not make the requested material available for inspection for 30 days from the date of service of an Order finding that the material no longer qualifies for confidential treatment in order to allow Kenergy to seek a remedy afforded by law.

10/31/23 Lawrence Cook KENTUCKY OFFICE OF THE ATTORNEY GENERAL OAGs INITIAL DATA REQUESTS

10/30/23 COMMISSION STAFF'S SECOND REQUEST FOR INFORMATION TO KENERGY CORP.

10/12/23 Order Entered: 1. Kenergy's proposed rates are suspended for five months, up to and including April 1, 2024. 2. The procedural schedule set forth in the Appendix to this Order shall be followed. 3. Kenergy shall respond to all requests for information propounded by Commission Staff, whether identified on the procedural schedule or otherwise, as provided in those requests. 4. Any party filing a paper with the Commission shall file an electronic copy in accordance with the electronic filing procedures set forth in 807 KAR 5:001, Section 8. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked. The Commission directs the parties to the Commission's July 22, 2021 Order in Case No. 2020-00085<sup>1</sup> regarding filings with the Commission.

10/09/23 Order Entered: 1. The Attorney General's motion to intervene is granted. 2. The Attorney General is entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order. 3. The Attorney General shall comply with all provisions of the Commission's regulations, 807 KAR 5:001, Section 8, related to the service and electronic filing of documents. 4. Pursuant to 807 KAR 5:001, Section 8(9), within seven days of service of this Order, the Attorney General shall file a written statement with the Commission that: a. Certifies that it, or its agent, possesses the facilities to receive electronic transmissions; and b. Sets forth the electronic mail address to which all electronic notices and messages related to this proceeding shall be served.

10/04/23 No deficiency letter

10/03/23 Lawrence Cook KENTUCKY OFFICE OF THE ATTORNEY GENERAL OAG Motion to Intervene

10/02/23 J Christopher Hopgood Kenergy Corp. Petition for Confidential Treatment

10/02/23 Steve Thompson Kenergy Response to Commission Staffs First Data Request

10/02/23 Steve Thompson Kenergys Application

09/19/23 COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO KENERGY CORP.

09/19/23 Jonathan Cecil Public Comment

09/11/23 Roger D. Cooper Public Comment

09/05/23 Clay W. Stevens Public Comment

09/01/23 J Christopher Hopgood Kenergy Corp. Notice of Intent to file a General Adjustment in Rates Application no sooner than 30 days and no later than 60 days from today's date

08/14/23 Acknowledge Receipt of Filing

08/14/23 Kenergy Corp. Notice of Intent to File an Application for a General Adjustment of Rates Using Electronic Filing Procedures