

**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

**In The Matter Of:**

<b>THE PETITION OF KENTUCKY</b>	)	
<b>UTILITIES COMPANY FOR AN ORDER</b>	)	
<b>AUTHORIZING THE ISSUANCE OF</b>	)	<b>DOCKET NO.16-00119</b>
<b>SECURITIES AND THE ASSUMPTION</b>	)	
<b>OF OBLIGATIONS</b>	)	

**MOTION TO ALLOW WITNESS TO APPEAR AND PARTICIPATE**  
**AT HEARING BY TELEPHONE**

Kentucky Utilities Company (“KU” or the “Company”) filed its Petition in this docket on October 17, 2016 and anticipates that it will be heard at the Tennessee Regulatory Authority (“TRA” or “Authority”) Conference scheduled for December 12, 2016.

Pursuant to T.C.A. §4-5-312(c), KU submits this Motion to Allow Witness to Appear and Participate at Hearing By Telephone and provides the following in support of this Motion:

T.C.A. §4-5-312(c) addresses electronic participation and reads:

In the discretion of the administrative judge or hearing officer and agency members and by agreement of the parties, all or part of the hearing may be conducted by telephone, television or other electronic means, if each participant in the hearing has an opportunity to participate in, to hear, and, if technically feasible, to see the entire proceedings while taking place.

Consistent with this statute, KU respectfully requests that its witness be allowed to participate in the hearing on its Petition via telephone because personal appearance by the company’s witness, who resides in Louisville, Kentucky, would be burdensome. If this Motion is granted, KU agrees that its appearance and participation by telephone will be subject to the following conditions:

1. KU's Tennessee Attorney shall appear personally at the hearing to present and facilitate questioning of KU's witness.

2. KU shall be required to secure a licensed Notary Public in good standing in the State of Kentucky (the jurisdiction where the testimony is to be given) who will be in the same physical location with the witness while he is providing the testimony.

3. The Notary Public obtained by KU shall be duly authorized to administer the testimonial oath and shall administer such oath during the hearing and remain physically present with the witness at all times during the witness' testimony and until the witness is excused from examination by the Authority or Hearing Officer.

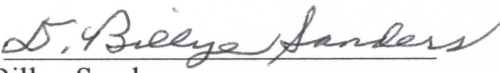
4. After the hearing, the Notary Public shall prepare and sign an affidavit, which bears the official seal of the Notary Public, affirming: (1) the proven identity of the witness, (2) the fact that the Notary Public properly administered the testimonial oath to such person, and (3) that the testimony given by the sworn witness was in accordance with the highest ethical and legal standards, as observed by the Notary Public. In addition, the testifying witness shall sign a conforming Witness Certification in the form attached hereto as Exhibit A or in such other format ordered by the Authority or Hearing Officer.

5. The original Witness Certification and Notary Public Affidavit must be postmarked within five (5) days of the hearing and received by the Authority's Docket Manager via postage-paid U.S. Mail or other courier. Should the required affirming documents not be received by the Docket Manager as required above, the testimony of the witness may be stricken from the record and constitute sufficient cause for denial of the Petition.

**WHEREFORE**, Kentucky Utilities Company respectfully requests that the Authority enter an Order granting its Motion to Allow Witness to Appear and Participate at Hearing by Telephone.

Respectfully submitted,

Kentucky Utilities Company

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Counsel for Kentucky Utilities Company

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**WITNESS CERTIFICATION**

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I attest and certify that I provided testimony via telephone before the Tennessee Regulatory Authority at the hearing on the date referenced below. I have read the Affidavit below and further acknowledge and agree that the testimony I provided proceeded as stated therein.

\_\_\_\_\_  
Date of Hearing

Daniel K. Arbough

\_\_\_\_\_  
Name of Witness (Printed)

\_\_\_\_\_  
Signature of Witness

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**AFFIDAVIT**

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Affiant, after first being duly sworn according to law, deposes and states as follows:

1. I am \_\_\_\_\_, a Notary Public in good standing in the State of Kentucky, County of Jefferson. All statements set out in this Affidavit are made of my own personal knowledge.



2. My business address and telephone number where I may be contacted are:

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3. Daniel K. Arbough ("Witness") personally appeared before me and provided \_\_\_\_\_ (type of identification) which I verified, on the \_\_\_\_\_ day of December, 2016 for the purpose of providing sworn testimony via telephone at a hearing before the Tennessee Regulatory Authority.

4. During the hearing on the record, I administered the oath to the Witness prior to the Witness providing testimony via telephone before the Tennessee Regulatory Authority.

5. I remained physically present with the Witness at all times during the Witness' testimony and until such Witness was excused from examination by the Directors of the Tennessee Regulatory Authority who heard the case.

6. The testimony I observed being given by the Witness was in accordance with the highest of ethical and legal standards.

**FURTHER AFFIANT SAITH NOT.**

WITNESS my hand, at office, this \_\_\_\_\_ day of December, 2016.

(Official Seal)

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_