

1 AN ACT relating to the Public Service Commission.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS 278.010 TO KRS 278.450 IS
4 CREATED TO READ AS FOLLOWS:

5 *(1) Except as otherwise provided in KRS 278.010 to KRS 278.450, if the commission*
6 *fails to issue a final order on any application submitted to it by a utility pursuant*
7 *to KRS 278.018, 278.020, 278.216, 278.218, 278.271, and 278.300 within six (6)*
8 *months of the acceptance of the filing of the application, then the application*
9 *shall be deemed approved by the commission and the relief requested shall be*
10 *deemed to be granted.*

11 *(2) The commission shall complete and issue a final order on all six (6) month and*
12 *two (2) year reviews of the operation of a utility's environmental surcharge and*
13 *fuel adjustment clause within six (6) months of commencing the review.*

14 ➔Section 2. KRS 278.110 is amended to read as follows:

15 *(1)* The commission acting through the executive director may employ such clerks,
16 stenographers, rate experts, agents, special agents, engineers, accountants, auditors,
17 inspectors, lawyers, hearing examiners, experts and other classified service
18 employees and the commission may contract for services of persons in a
19 professional or scientific capacity to make or conduct a hearing or a temporary or
20 special inquiry, investigation or examination as it deems necessary to carry out the
21 provisions of this chapter, or to perform the duties and exercise the powers
22 conferred by law upon the commission.

23 *(2) (a) When the commission contracts for the services of a person in a*
24 *professional or scientific capacity to conduct a hearing, temporary special*
25 *inquiry, investigation, or examination, any non-privileged final report or*
26 *recommendation prepared in fulfillment of the contract shall be filed within*
27 *the record for the case for which the final report or recommendation was*

1 prepared at the same time it is provided to the commission.
2 (b) A contracted person who has prepared and submitted a final report or
3 recommendation pursuant to this subsection shall be required to respond to
4 any written information requests regarding the final report or
5 recommendation. Additionally, the contracted person shall be available for
6 cross-examination as a witness in the case for which the final report or
7 recommendation was prepared and filed at any public hearing held by the
8 commission pursuant to the rules it has adopted.