

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 CHAPTER 278 IS CREATED TO
4 READ AS FOLLOWS:

5 *(1) The commission shall have continuing supervisory control over matters*
6 *considered under this chapter consistent with its jurisdiction and so far as*
7 *necessary to protect and promote the public interest.*

8 *(2) The commission shall reconsider a previously issued order if:*

9 *(a) The commission's order relates to a multistate transaction that involves a*
10 *public utility commission in another state jurisdiction; and*

11 *(b) The out-of-state public utility commission fails to approve the transaction or*
12 *utility plan, makes a determination that is inconsistent with the Kentucky*
13 *commission's order, or imposes any new conditions that are materially*
14 *different from those imposed by the Kentucky commission's order.*

15 *(3) In reviewing the order and any out-of-state orders, the commission shall*
16 *determine whether its order is still in the public interest of Kentucky ratepayers.*

17 *In making the determination, the commission shall consider the following:*

18 *(a) Whether Kentucky ratepayers would be provided with the same level of*
19 *benefits resulting from the transaction as provided to the ratepayers of the*
20 *other state jurisdiction;*

21 *(b) Whether the other state commission's order will result in detriment to*
22 *Kentucky ratepayers; and*

23 *(c) Whether the actual results of the transaction, after the order by the other*
24 *state commission, have made the transaction unreasonable, unlawful, or*
25 *unjust, including but not limited to whether the transaction has an adverse*
26 *economic impact on the citizens of the Commonwealth.*

27 *(4) The commission shall issue new findings of fact and change, modify, vacate, or*

1 *affirm its former order within ninety (90) days of the effective date of this Act or*
2 *of the out-of-state public utility commission's order.*

3 ➔Section 2. Section 1 of this Act shall apply retroactively to all Public Service
4 Commission orders issued on or after July 1, 2013.