

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN EXAMINATION OF THE APPLICATION OF)	
THE FUEL ADJUSTMENT CLAUSE OF BIG)	CASE NO.
RIVERS ELECTRIC CORPORATION FROM)	2017-00287
NOVEMBER 1, 2016 THROUGH APRIL 30, 2017)	

ORDER

Pursuant to 807 KAR 5:056, Section 1(11), IT IS HEREBY ORDERED that:

1. Big Rivers Electric Corporation (“Big Rivers”) shall appear in Hearing Room 1 of the Commission’s offices at 211 Sower Boulevard, Frankfort, Kentucky, on October 16, 2017, at 10:00 a.m., Eastern Daylight Time, to submit itself to examination on the application of its Fuel Adjustment Clause (“FAC”) from November 1, 2016, through April 30, 2017. Neither opening statements nor summaries of pre-filed testimony will be permitted.
2. Not less than seven days and no more than 21 days prior to the scheduled hearing, Big Rivers shall publish in a newspaper of general circulation in each area in which it serves notice of the purpose, time, place, and date of the scheduled hearing. In addition, the notice of hearing shall include the following statement: “This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov.”
3. Big Rivers shall file with the Commission no later than October 13, 2017, proof of publication of its notice for the hearing.
4. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9 (9), the record of the formal hearing in this matter shall be by digital video recording.

5. a. The information requested in the Appendix to this Order is due no later than 14 days from the date of this Order. Responses to requests for information shall be appropriately bound, tabbed and indexed, and shall include the name of the witness responsible for responding to the questions related to the information provided, with copies to all parties of record and the original and eight copies to the Commission.

b. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or the person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

c. Any party shall make timely amendment to any prior response if it obtains information which indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect.

d. For any request to which a party refuses to furnish all or part of the requested information, that party shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

e. When filing a document containing personal information, Big Rivers shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the document so that personal information cannot be read.

6. Any party who wishes to file testimony in this proceeding or to request information from Big Rivers may petition the Commission for a procedural schedule.

7. Any request for intervention must be filed by September 29, 2017.

8. A person who submits a motion to intervene after September 29, 2017, and upon a showing of good cause is granted full intervention, shall accept and abide by the existing procedural schedule. As set forth in 807 KAR 5:001, Section 4(11)(a), a person requesting permissive intervention in a Commission proceeding is required to demonstrate either (1) a special interest in the proceedings which is not adequately represented in the case, or (2) that the person requesting permissive intervention is likely to present issues or develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings. Further, KRS 278.040(2) requires that a person seeking intervention have an interest in the rates or service of a utility, as those are the only matters that are subject to the Commission's jurisdiction.


Based on the foregoing, the Commission finds that any person requesting to intervene in a Commission proceeding must state with specificity the person's special interest that is not adequately represented, or the issues and facts the person will present that will assist the Commission in fully considering the matter. A mere recitation of the quantity of electricity consumed by the movant or a general statement regarding a potential impact of a possible modification of rates will not be deemed sufficient to establish a special interest.

9. All documents that Big Rivers filed with the Commission during the period under review pursuant to 807 KAR 5:056, Sections 1(7) and 1(9), are incorporated by reference into the record of this proceeding.

By the Commission

ENTERED
AUG 30 2017
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Acting Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION IN CASE NO. 2017-00287 DATED **AUG 30 2017**

1. For the period from November 1, 2016, through April 30, 2017, list each vendor from whom coal was purchased and the quantities and the nature of each purchase (i.e., spot or contract). For the period under review in total, provide the percentage of purchases that were spot versus contract. For contract purchases, state whether the contract has been filed with the Commission. If not, explain why it has not been filed.

2. For the period from November 1, 2016, through April 30, 2017, list each vendor from whom natural gas was purchased for generation and the quantities and the nature of each purchase (i.e., spot or contract). For contract purchases, state whether the contract has been filed with the Commission. If not, explain why it has not been filed.

3. State whether Big Rivers engages in hedging activities for its coal or natural gas purchases used for generation. If so, describe the hedging activities in detail.

4. For each generating station or unit for which a separate coal pile is maintained, state, for the period from November 1, 2016, through April 30, 2017, the actual amount of coal burned in tons, the actual amount of coal deliveries in tons, the total kWh generated, and the actual capacity factor at which the plant operated.

5. List all firm power commitments for Big Rivers from November 1, 2016, through April 30, 2017, for (a) purchases and (b) sales. This list shall identify the electric utility, the amount of commitment in MW, and the purpose of the commitment (i.e., peaking, emergency).

6. Provide a monthly billing summary of sales to all electric utilities for the period November 1, 2016, through April 30, 2017.

7. List Big Rivers' scheduled, actual, and forced outages from November 1, 2016, through April 30, 2017.

8. List all existing fuel contracts categorized as long-term (i.e., one year or more in length). Provide the following information for each contract:

- a. Supplier's name and address;
- b. Name and location of production facility;
- c. Date when contract was executed;
- d. Duration of contract;
- e. Date(s) of each contract revision, modification, or amendment;
- f. Annual tonnage requirements;
- g. Actual annual tonnage received since the contract's inception;
- h. Percentage of annual requirements received during the contract's term;
- i. Base price in dollars per ton;
- j. Total amount of price escalations to date in dollars per ton; and
- k. Current price paid for coal under the contract in dollars per ton (i + j).

9. a. State whether Big Rivers regularly compares the price of its coal purchases to those paid by other electric utilities.

b. If so, state:

(1) How Big Rivers' prices compare with those of other utilities. If

the comparison includes months outside of the review period, a comparison limited to the

review period should be provided separately. Provide a copy of the source documents and calculations used to support the amounts used in the comparison and include all prices used in the comparison in cents per MMBtu.

(2) The utilities that are included in this comparison and their locations.

10. State the percentage of Big Rivers' coal, as of the date of this Order, that is delivered by:

- a. Rail;
- b. Truck; or
- c. Barge.

11. a. State Big Rivers' coal inventory level in tons and in number of days' supply as of April 30, 2017. Provide this information by generating station and in the aggregate.

b. Describe the criteria used to determine number of days' supply.

c. Compare Big Rivers' coal inventory as of April 30, 2017, to its inventory target for that date for each plant and for total inventory.

d. If actual coal inventory exceeds inventory target by ten days' supply, state the reasons for excessive inventory.

e. (1) State whether Big Rivers expects any significant changes in its current coal inventory target within the next 12 months.

(2) If so, state the expected change and the reasons for this change.

12. a. State whether Big Rivers has audited any of its coal contracts during the period from November 1, 2016, through April 30, 2017.

b. If so, for each audited contract:

- (1) Identify the contract;
- (2) Identify the auditor;
- (3) State the results of the audit; and
- (4) Describe the actions that Big Rivers took as a result of the

audit.

13. a. State whether Big Rivers has received any customer complaints regarding its FAC during the period from November 1, 2016, through April 30, 2017.

b. If so, for each complaint, state:

- (1) The nature of the complaint; and
- (2) Big Rivers' response.

14. a. State whether Big Rivers is currently involved in any litigation with its current or former coal suppliers.

b. If so, for each litigation:

- (1) Identify the coal supplier;
- (2) Identify the coal contract involved;
- (3) State the potential liability or recovery to Big Rivers;
- (4) List the issues presented; and
- (5) Provide a copy of the complaint or other legal pleading that

initiated the litigation and any answers or counterclaims. If a copy has previously been

filed with the Commission, provide the date on which it was filed and the case in which it was filed.

c. State the current status of all litigation with coal suppliers.

15. a. During the period from November 1, 2016, through April 30, 2017, have there been any changes to Big Rivers' written policies and procedures regarding its fuel procurement?

b. If yes:

(1) Describe the changes;

(2) Provide the written policies and procedures as changed;

(3) State the date(s) the changes were made; and

(4) Explain why the changes were made.

c. If no, provide the date Big Rivers' current fuel procurement policies and procedures were last changed, when they were last provided to the Commission, and identify the proceeding in which they were provided.

16. a. State whether Big Rivers is aware of any violations of its policies and procedures regarding fuel procurement that occurred prior to or during the period from November 1, 2016, through April 30, 2017.

b. If so, for each violation:

(1) Describe the violation;

(2) Describe the action(s) that Big Rivers took upon discovering the violation; and

(3) Identify the person(s) who committed the violation.

17. Identify and explain the reasons for all changes in the organizational structure and personnel of the departments or divisions that are responsible for Big Rivers' fuel procurement activities that occurred during the period from November 1, 2016, through April 30, 2017.

18. a. Identify all changes that Big Rivers has made during the period under review to its maintenance and operation practices that also affect fuel usage at Big Rivers' generation facilities.

b. Describe the impact of these changes on Big Rivers' fuel usage.

19. List each written coal-supply solicitation issued during the period from November 1, 2016, through April 30, 2017.

a. For each solicitation, provide the date of the solicitation, the type of solicitation (contract or spot), the quantities solicited, a general description of the quality of coal solicited, the time period over which deliveries were requested, and the generating unit(s) for which the coal was intended.

b. For each solicitation, state the number of vendors to whom the solicitation was sent, the number of vendors who responded, and the selected vendor. Provide the bid tabulation sheet or corresponding document that ranked the proposals. (This document should identify all vendors who made offers.) State the reasons for each selection. For each lowest-cost bid not selected, explain why the bid was not selected.

20. List each oral coal-supply solicitation issued during the period from November 1, 2016, through April 30, 2017.

a. For each solicitation, state why the solicitation was not written, the date(s) of the solicitation, the quantities solicited, a general description of the quality of

coal solicited, the time period over which deliveries were requested, and the generating unit(s) for which the coal was intended.

b. For each solicitation, identify all vendors solicited and the vendor selected. Provide the tabulation sheet or other document that ranks the proposals. (This document should identify all vendors who made offers.) State the reasons for each selection. For each lowest-cost bid not selected, explain why the bid was not selected.

21. a. List all intersystem sales during the period under review in which Big Rivers used a third party's transmission system.

b. For each sale listed above:

(1) Describe the effect on the FAC calculation of line losses related to intersystem sales when using a third party's transmission system; and

(2) State the line-loss factor used for each transaction and describe how that line-loss factor was determined.

22. a. Describe the effect on the FAC calculation of line losses related to intersystem sales when not using a third party's transmission system.

b. Describe each change that Big Rivers made to its methodology for calculating intersystem sales line losses during the period under review.

23. State whether, during the period under review, Big Rivers has solicited bids for coal with the restriction that it was not mined through strip mining or mountaintop removal. If so, explain the reasons for the restriction on the solicitation, the quantity in tons and price per ton of the coal purchased as a result of this solicitation, and the difference between the price of this coal and the price it could have obtained for the coal if the solicitation had not been restricted.

24. Provide a detailed discussion of any specific generation efficiency improvements Big Rivers has undertaken during the period under review.

25. State whether all fuel contracts related to commodity and/or transportation have been filed with the Commission. If any contracts have not been filed, explain why they have not been filed and provide a copy.

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