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PUBLIC SERVICE
COMMISSION

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF DUKE ENERGY KENTUCKY,)
INC. FOR A DECLARATORY ORDER THAT)
THE CONSTRUCTION OF A NEW LANDFILL)
CONSTITUTES AN ORDINARY EXTENSION IN)
THE USUAL COURSE OF BUSINESS OR, IN)
THE ALTERNATIVE, FOR A CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY)

Case No.
2015-00089

ATTORNEY GENERAL'S SECOND REQUEST FOR INFORMATION

Comes now the intervenor, the Attorney General of the Commonwealth of Kentucky, by and through his Office of Rate Intervention, and submits this Second Request for Information to Duke Energy Kentucky, Inc. ("Duke") to be answered by the date specified in the Commission's Order of Procedure, and in accord with the following:

(1) In each case where a request seeks data provided in response to a staff request, reference to the specific portion of the appropriate request item will be deemed a satisfactory response.

(2) Please identify the witness who will be prepared to answer questions concerning each request.

(3) Please repeat the question to which each response is intended to refer. The Office of the Attorney General can provide counsel for Duke with an electronic version of these questions, upon request.

(4) These requests shall be deemed continuing so as to require further and supplemental responses if the company receives or generates additional information within the scope of these requests between the time of the response and the time of any hearing conducted hereon.

(5) Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association, be accompanied by a signed certification of the preparer or 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.

(6) If you believe any request appears confusing, please request clarification directly from Counsel for the Office of Attorney General.

(7) To the extent that the specific document, workpaper or information as requested does not exist, but a similar document, workpaper or information does exist, provide the similar document, workpaper, or information.

(8) To the extent that any request may be answered by way of a computer printout, please identify each variable contained in the printout which would not be self-evident to a person not familiar with the printout.

(9) If the company has objections to any request on the grounds that the requested information is proprietary in nature, or for any other reason, please notify the Office of the Attorney General as soon as possible.

(10) As used herein, the words "document" or "documents" are to be construed broadly and shall mean the original of the same (and all non-identical copies or drafts thereof) and if the original is not available, the best copy available. These terms shall include all information recorded in any written, graphic or other tangible form and shall include, without limiting the generality of the foregoing, all reports; memoranda; books or notebooks; written or recorded statements, interviews, affidavits and depositions; all letters or correspondence; telegrams, cables and telex messages; contracts, leases, insurance policies or other agreements; warnings and caution/hazard notices or labels; mechanical and electronic recordings and all information so stored, or transcripts of such recordings; calendars, appointment books, schedules, agendas and diary entries; notes or memoranda of conversations (telephonic or otherwise), meetings or conferences; legal pleadings and transcripts of legal proceedings; maps, models, charts, diagrams, graphs and other demonstrative materials; financial statements, annual reports, balance sheets and other accounting records; quotations or offers; bulletins, newsletters, pamphlets, brochures and all other similar publications; summaries or compilations of data; deeds, titles, or other instruments of ownership; blueprints and specifications; manuals, guidelines, regulations, procedures, policies and instructional materials of any type; photographs or pictures, film, microfilm and microfiche; videotapes; articles; announcements and notices of any type; surveys, studies, evaluations, tests and all research and development (R&D) materials;

newspaper clippings and press releases; time cards, employee schedules or rosters, and other payroll records; cancelled checks, invoices, bills and receipts; and writings of any kind and all other tangible things upon which any handwriting, typing, printing, drawings, representations, graphic matter, magnetic or electrical impulses, or other forms of communication are recorded or produced, including audio and video recordings, computer stored information (whether or not in printout form), computer-readable media or other electronically maintained or transmitted information, and all other rough drafts, revised drafts (including all handwritten notes or other marks on the same) and copies of documents as hereinbefore defined by whatever means made.

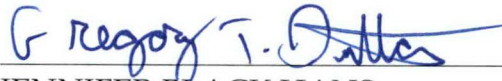
(11) For any document withheld on the basis of privilege, state the following: date; author; addressee; indicated or blind copies; all persons to whom distributed, shown, or explained; and, the nature and legal basis for the privilege asserted.

(12) In the event any document called for has been destroyed or transferred beyond the control of the company, please state: the identity of the person by whom it was destroyed or transferred, and the person authorizing the destruction or transfer; the time, place, and method of destruction or transfer; and, the reason(s) for its destruction or transfer. If destroyed or disposed of by operation of a retention policy, state the retention policy.

(13) Please provide written responses, together with any and all exhibits pertaining thereto, in one or more bound volumes, separately indexed and tabbed by each response, in compliance with Kentucky Public Service Commission Regulations.

Respectfully submitted,

JACK CONWAY
ATTORNEY GENERAL



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Certificate of Service and Filing


Counsel certifies that an original and ten photocopies of the foregoing were served and filed by hand delivery to Jeff Derouen, Executive Director, Public Service Commission, 211 Sower Boulevard, Frankfort, Kentucky 40601; counsel further states that true and accurate copies of the foregoing were mailed via First Class U.S. Mail, postage pre-paid, to:

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Assistant Attorney General

Application of Duke Energy Kentucky, Inc. for a Declaratory Order that the Construction of a New Landfill
Constitutes an Ordinary Extension in the Usual Course of Business or, in the Alternative,
for a Certificate of Public Convenience and Necessity
Case No. 2015-00089
Attorney General's Second Request for Information

1. Reference Jett testimony page 13, line 15. Define or describe "balance-of-plant wastewater treatment systems."
2. Reference Jett testimony page 14, lines 8-16.
 - a. On what date was the project design finalized?
 - b. In what ways will the first cell not comply with the CCR requirements?
 - c. How many cells will be directly adjacent to the first cell?
3. Reference Miller testimony page 8, lines 16-23. Provide a detailed cost breakdown of all construction expenses unique to the construction of the first cell.
4. Reference Miller testimony page 9, lines 6-8. Of the estimated \$33-\$35 per ton cost, what is the individual dollar figures attributed to transportation costs, and to disposal costs?
5. Reference Miller testimony page 10, line 19, wherein he states the lined landfill will be approximately 200 acres. Does that 200 acres include the designated space between the two sites designated for waste disposal or is that acreage excluded from the calculation?
6. When the Company prepares a numeric value for the volume of the space, is that calculated based upon acreage units, or specific dimensions of the cells?
7. Provide an explanation and cost estimate for methods of disposing of the liquid sulfate waste sludge, fly ash, and bottom ash as independent waste streams, without the production of poz-o-tec.
8. If the Company knows, how do other coal generating units in Kentucky dispose of liquid sulfate waste sludge produced at their units and what is the approximate cost of those disposal methods?
9. Reference Sellent testimony page 5, line 10.
 - a. Would those transportation costs be the same if the poz-o-tec disposal mechanism were not in place?
 - b. What other expenses, and in what amounts, are unique to the poz-o-tec construction?
10. Reference Sellent testimony page 6, lines 13-21.
 - a. Do the individual cells tie into one another's liner system and leachate prevention system?

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- b. If so, how does the first cell, which is not CCR compliant, tie into the additional cells to be built later?
11. Please provide a diagram of how the cell design and layout will be constructed.
12. Reference Sellent testimony page 8, line 15 – page 9, line 7.
 - a. Please provide the annual amount spent on transporting dry ash to the East Bend station from other generating units over the last 5 years.
 - b. Please provide the amount in tons and cubic yards of dry ash that has been brought into the East Bend station from other generating units over the last 5 years.
 - c. At what capacity percentage must the East Bend Station run to ensure enough fly ash is produced to prevent the need to import fly ash from alternative sources.
 - d. At what capacity percentage does the East Bend station run on an annual average?
13. Reference Duke response to AG 1-1. What is the difference in cost to construct a cell that is compliant with the CCR rule vs. the anticipated cost to construct cell 1?
14. Reference Duke response to AG 1-4, attachment 1.
 - a. Based on the legend and other information contained in attachment 1, it appears as if two separate landfills are to be constructed on the site. There is the larger landfill to the west, and a smaller landfill to the northeast. Please provide a detailed explanation regarding the north eastern landfill outlined in attachment 1.
 - b. How far, in feet, does the floodplain ingress into the proposed site boundaries?
 - c. How far, in feet, are the two waste disposal sites from each other?
 - d. What is the total cost of the additional permits and construction to address the portion of the landfill design that sits within the 100 year floodplain?
 - e. If the landfill had been designed to exclude all portions of the 100 year floodplain, what volume would have been lost from the landfill design?
15. Reference Duke response to AG 1-5. The attachment referenced in the Duke response contains writing so small as to be unreadable. Provide the number of feet from the closest point of the landfill to the Ohio river.
16. Regarding the floodplain map with the outlined area of landfills:

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- a. Please indicate which area contains the first cell for proposed construction.
 - b. Please describe any shared systems, or materials that link the two sites or that they have in common.
 - c. Please describe why there is a need for two distinct waste disposal limits at the proposed site.
17. Please describe how the regulations affecting stream construction permits impacted your project construction plans?
18. Reference Duke response to AG 1-9. Provide the referenced contracts Duke has with W.H. Zimmer Station, Proctor and Gamble Ivorydale Station, and Miami Fort Station.
19. Reference Duke response to PSC 1-1, page 2.
- a. Describe the "significant engineering efforts" that would be required to for cell 1 to meet the CCR requirements.
 - b. Describe the basis for the 1 additional year estimated.
 - c. Explain why, and in what ways, an accelerated construction schedule would increase the cost of the proposed landfill.