

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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PUBLIC SERVICE
COMMISSION

IN THE MATTER OF:

BIG RIVERS ELECTRIC CORPORATION'S)
APPLICATION FOR A CERTIFICATE OF) CASE NO. 2018-00004
PUBLIC CONVENIENCE AND NECESSITY)

MOTION FOR LEAVE TO INTERVENE BY
REPUBLIC TRANSMISSION, LLC

Republic Transmission, LLC ("Republic"), by counsel, respectfully requests intervention in the above-styled matter. In support of said Motion, Republic states the following:

1. Republic is owned by an affiliate of LS Power Associates, L.P., a development, investment and operating company focused on power generation, electric transmission, and energy infrastructure, and Hoosier Energy Rural Electric Cooperative, Inc., an Indiana member-owned, not-for-profit electric generation and transmission cooperative.

2. As part of its 2015 annual congestion study ("MTEP15"), the Midcontinent Independent System Operator, Inc. ("MISO") identified the need for a new single circuit 345kV transmission line ("MISO Project") between the existing Duff Substation, located in Dubois County, Southern Indiana, and the existing Coleman Extra High Voltage ("EHV") Substation located in Hancock County, Kentucky. After a competitive bidding process, MISO selected Republic (with the participation of Big Rivers) to develop, construct, own, operate, and maintain the MISO Project. Concurrent with energization and turning functional control over to MISO, Big Rivers Electric Corporation ("Big Rivers") will acquire that portion of the new line located

in Kentucky (approximately 3.3 miles in length) pursuant to the terms of an Asset Purchase Agreement (“APA”) with Republic.

3. Republic will coordinate the construction of the MISO Project, including the portion of the MISO Project that will ultimately be owned, operated and maintained by Big Rivers, subject to the terms of the APA.

4. The MTEP15 indicates that a significant amount of congestion exists in Southern Indiana and Kentucky, particularly around the Coleman Substation which is a gateway for the nearby Hancock County large industrial load pocket. Congestion relief in this area would mean that the load pocket could be more easily supplied with alternative generation.

5. The Kentucky Public Service Commission (“the Commission”) has interpreted KRS 278.040(2) as requiring a person seeking intervention to 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. See Eastern Rockcastle Water Association, Case No. 2017-00383 (Ky. PSC Oct. 17, 2017). Because Republic has responsibility for coordinating construction of the transmission line facilities that are part of the MISO Project, including the portion of the MISO Project located in Kentucky that will ultimately be owned, operated and maintained by Big Rivers, subject to the terms of the APA, it has an interest in the service provided by Big Rivers to its customers.

6. Administrative Regulation 807 KAR 5: 001, Section 4(11)(b) states:

The Commission shall grant a person leave to intervene if the Commission finds that he or she has made a timely motion for intervention and that he or she has a special interest in the case that is not otherwise adequately represented or that his or her intervention is likely to present issues or to develop facts that assist the Commission in fully considering the matter without unduly complicating or disrupting proceedings.

Republic meets both of these criteria. It has a special interest in this CPCN that is not otherwise adequately represented. At the time of the filing, no other person has sought to intervene in this

matter and no other party could provide certain information to the Commission as described below.

7. Moreover, Republic seeks to be a resource to the Commission to develop facts as may be necessary to assist the Commission in fully considering Big Rivers' application. Republic will be able to provide information to the Commission with respect to the, the MISO processes that identified the need for the MISO Project and the award of the MISO Project to Republic (and Big Rivers as a proposal participant). Additionally, because Republic is responsible for the design and construction of the entire MISO Project, it likewise could provide the Commission with information about the Indiana portion of the MISO Project as well.

8. Moreover, in presenting issues or facts that will assist the Commission or otherwise be available to the Commission, Republic will provide said information without unduly complicating or disrupting the proceedings.

WHEREFORE, Republic respectfully requests that the Commission grant its Motion for Leave to Intervene and allow it to participate as an intervenor in this proceeding.

Respectfully submitted,

STURGILL, TURNER, BARKER
& MOLONEY, PLLC

By:  _____

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ATTORNEYS FOR REPUBLIC
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CERTIFICATE OF SERVICE

I certify that I served this document on March 26, 2018, via U.S. mail, first class, postage prepaid, to the following individuals:

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