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MAY 30 2019

PUBLIC SERVICE
COMMISSION

VIA OVERNIGHT MAIL

May 29, 2019

Gwen R. Pinson, Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, Kentucky 40602

Re: Case No. 2019-00146

Dear Ms. Pinson:

Please find enclosed the original and ten (10) copies of NUCOR STEEL GALLATIN's MOTION TO INTERVENE for filing in the above-referenced matter.

By copy of this letter, all parties listed on the Certificate of Service have been served. Please place this document of file.

Very Truly Yours,

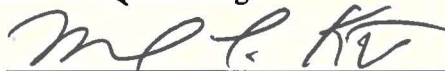


Michael L. Kurtz, Esq.
Jody Kyler Cohn, Esq.
BOEHM, KURTZ & LOWRY

MLKkew
Attachment
cc: Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by electronic mail (when available) or by regular, U.S. mail, unless otherwise noted, the 29TH day of May, 2019 to the following:



Michael L. Kurtz, Esq.

Jody Kyler Cohn, Esq.

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East Kentucky Power Cooperative, Inc.
4775 Lexington Road
P. O. Box 707
Winchester, KY 40392-0707

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PUBLIC SERVICE
COMMISSION

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

APPLICATION OF EAST KENTUCKY POWER COOPERATIVE, :
INC. FOR AN ORDER APPROVING THE ESTABLISHMENT OF :
REGULATORY ASSETS FOR PRESENT AND FUTURE :
MAINTENANCE EXPENSES. :

Case No. 2019-00146

MOTION TO INTERVENE OF
NUCOR STEEL GALLATIN

Pursuant to 807 KAR 5:001, Section 4(11), KRS 278.310, and KRS 278.040(2), Nucor Steel Gallatin (“Nucor”) requests that it be granted full intervenor status in the above-captioned proceeding(s) and states in support thereof as follows:

1. 807 KAR 5:001, Section 4(11)(a)(1) requires that a person requesting leave to intervene as a party to a case before the Kentucky Public Service Commission (“Commission”), by timely motion, must state his or her interest in the case and how 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.
2. 807 KAR 5:001, Section 4(11)(b) provides that 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 the proceedings.
3. Nucor is the largest end-use customer located in the Owen Electric Cooperative (“Owen”) service territory. Owen is in turn provided with generation and transmission service by East Kentucky Power Cooperative, Inc. (“EKPC” or “Company”).

4. On May 13, 2009, EKPC submitted a Verified Application requesting Commission approval to establish regulatory assets for present and future high-cost, non-routine minor items of property and major maintenance expenses. EKPC claims that establishing the requested regulatory assets is necessary in order to avoid spikes in operating expenses which might trigger base rate increases and the costs associated with those base rate cases, while also diminishing the administrative burden currently resting upon the Commission.

5. As a customer that will ultimately pay the costs associated with the regulatory assets that EKPC seeks to establish, Nucor has a substantial interest in this proceeding. Electricity represents a major cost of doing business for Nucor. And the matters being decided by the Commission in this case may have a significant impact on Nucor's electric rates, which would affect Nucor's future business planning.

6. The attorneys for Nucor authorized to represent them in this proceeding and to take service of all documents are:

Michael L. Kurtz, Esq.
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7. Nucor has filed a timely motion to intervene in this proceeding.

8. Nucor's interest cannot be adequately represented by any existing party. While the Kentucky Attorney General's Office of Rate Intervention is statutorily charged with representing the interests of "consumers" pursuant to KRS 367.150(8), that duty relates primarily to residential customers. In contrast, Nucor's interest is exclusively related to a large energy-intensive industrial customer.

9. The position of Nucor cannot be adequately represented by any existing party. Further, Nucor intends to play a constructive role in the Commission's decision-making process.

10. Nucor's intervention will not unduly complicate or disrupt the proceedings.

WHEREFORE, Nucor requests that it be granted full intervenor status in the above-captioned proceeding.

Respectfully submitted,



Michael L. Kurtz, Esq.

Jody Kyler Cohn, Esq.

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COUNSEL FOR NUCOR STEEL GALLATIN

May 29, 2019