

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF KENTUCKY	)	
UTILITIES COMPANY FOR AN ADJUSTMENT OF	)	CASE NO.
ITS ELECTRIC RATES AND APPROVAL OF	)	2025-00113
CERTAIN REGULATORY AND ACCOUNTING	)	
TREATMENTS	)	

ORDER

This matter arises upon the motion of Walmart Inc. (Walmart), filed June 20, 2025, for full intervention. As a basis for its motion, Walmart stated it purchased more than 102.7 million kWh in 2024 from Kentucky Utilities Company (KU), principally under the Time-of-Day Secondary Service Rate Schedule (Rate TODS).<sup>1</sup> According to the motion, Walmart argued its load profile differs significantly from other customers in its rate class because it typically operates more hours per day and does not have the load fluctuations often seen from other customers who may see spikes or declines in energy usage due to manufacturing or production processes that vary with changes in economic conditions.<sup>2</sup> Walmart also stated that it would also be able to assist the Commission in presenting issues without unduly complicating the proceedings.<sup>3</sup>

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<sup>1</sup> Motion to Intervene (Motion) (filed June 20, 2025) at 2.

<sup>2</sup> Motion at 2-3.

<sup>3</sup> Motion at 3-4.

### LEGAL STANDARD

The Attorney General of the Commonwealth of Kentucky, by and through the Office of Rate Intervention (Attorney General), has the statutory right to intervene in Commission cases pursuant to KRS 367.150(8)(b). The Attorney General was granted intervention by Order dated May 27, 2025. With limited exception, intervention by all others is permissive and within the sole discretion of the Commission.<sup>4</sup>

The regulatory standard for permissive intervention, set forth in 807 KAR 5:001, Section 4, is twofold. Commission regulation 807 KAR 5:001, Section 4(11), requires a person to set forth in the motion to intervene either (1) a special interest in the proceeding that is not otherwise adequately represented in the case, or (2) that 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.

### DISCUSSION AND FINDINGS

Based on a review of the pleadings at issue and being otherwise sufficient advised, the Commission finds that Walmart has a special interest not currently represented by another party in the proceeding and, although not necessary as one prong of the regulation has been satisfied, Walmart is likely to present issues or develop facts that will assist the Commission in considering this matter without unduly complicating or disrupting the proceedings for the reasons discussed below.

The Commission notes Walmart is a large customer of KU, purchasing 102.7 million kWh in 2024 from KU, principally under the Rate TODS annually.<sup>4</sup> Walmart stated it has provided testimony in several other cases before the Commission.<sup>5</sup>

Based on the above, the Commission finds that Walmart should be granted full rights of a party in this proceeding. The Commission directs Walmart to the Commission's July 22, 2021 Order in Case No. 2020-00085<sup>7</sup> regarding filings with the Commission.

IT IS HEREBY ORDERED that:

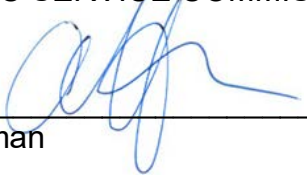
1. Walmart's motion to intervene is granted.
2. Walmart is entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order.
3. Walmart shall comply with all provisions of the Commission's regulations, 807 KAR 5:001, Section 8, related to the service and electronic filing of documents.
4. Walmart shall adhere to the procedural schedule set forth in the Commission's June 18, 2025 Order and as amended by subsequent Orders.
5. Pursuant to 807 KAR 5:001, Section 8(9), within seven days of service of this Order, Walmart shall file a written statement with the Commission that:
  - a. Certifies that it, or its agent, possesses the facilities to receive electronic transmissions; and
  - b. Sets forth the electronic mail address to which all electronic notices and messages related to this proceeding shall be served.

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<sup>4</sup> Motion at 2.

<sup>5</sup> Motion at 4.

PUBLIC SERVICE COMMISSION

  
Chairman

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Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director



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