

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF KENTUCKY)	
UTILITIES COMPANY AND LOUISVILLE GAS)	CASE NO.
AND ELECTRIC COMPANY FOR CERTIFICATES)	2025-00045
OF PUBLIC CONVENIENCE AND NECESSITY)	
AND SITE COMPATIBILITY CERTIFICATES)	

ORDER

A hearing in the above-styled matter was held on Monday, August 4, 2025, Wednesday August 6, 2025, and Thursday August 7, 2025. The Commission addressed several pending motions which are further discussed below. At the conclusion of the witness testimony, a procedural schedule was established that provided for post-hearing requests for information and briefing.

On July 7, 2025, Kentuckians for the Commonwealth (KFTC), Kentucky Solar Energy Society (KYSES), Mountain Association (MA), and Metropolitan Housing Coalition (MHC) (collectively, Joint Intervenors) filed a motion to deviate from 807 KAR 5:001, Section 8(3), related to the submission of a workpaper given in response to Kentucky Utilities Company (KU) and Louisville Gas and Electric Company's (LG&E) (jointly, LG&E/KU), First Request for Information, Item 1 which exceeded the Commission's 50 MB per file e-filing limit.¹ No parties objected to this request. From the bench, the Commission granted Joint Intervenors' motion for good cause shown.

¹ Joint Intervenors' Response to LG&E/KU's First Request for Information (LG&E/KU's First Request), Item 1 (filed July 3, 2025).

On July 29, 2025, LG&E/KU filed a motion for Leave to File Joint Stipulation Testimony. No parties objected to this request. From the bench, the Commission granted LG&E/KU's motion.

On July 30, 2025, LG&E/KU filed a motion for deviation from the notice requirements of 807 KAR 5:001, Section 9(2)(b)(2), due to *Russell Springs Times Journal* failing to publish the required notice for the August 4, 2025 hearing. No parties objected to this request. From the bench, the Commission granted LG&E/KU's motion for deviation from the notice requirements of 807 KAR 5:001, Section 9(2)(b)(2) for good cause shown.

On August 1, 2025, Joint Intervenors filed a motion requesting that two of their expert witnesses in this matter, Dr. Elizabeth Stanton and Andy Eiden, be granted permission to participate virtually in the hearing. No parties objected to this request. From the bench, the Commission granted Joint Intervenors' motion.

At the hearing, Joint Intervenors asked that the filings in Case No. 2024-00326² not already incorporated be incorporated into the record. The Commission had previously incorporated by reference pursuant to KAR 5:001, Section 11(5), Case No. 2024-00326 up to the filings made on or before February 14, 2025.³ No parties objected to this request. From the bench, the Commission granted Joint Intervenors' request to incorporate the remainder of Case No. 2024-00326 into the record.

To facilitate a decision by the Commission to the numerous issues relevant to this application, the Commission, from the bench also found that LG&E/KU should provide legal briefs supporting their requests, including portions that specifically address:

² Case No. 2024-00326, *Electronic 2024 Joint Integrated Resource Plan of Louisville Gas and Electric Company and Kentucky Utilities Company* (filed Oct. 18, 2024).

³ March 13, 2025 Order at 3.

LG&E/KU's existing authority, or lack thereof, to delay or extend Mill Creek 2's retirement until Mill Creek 6's in-service date or beyond; an analysis of need and absence of wasteful duplication for Brown 12, Mill Creek 6, and the Ghent 2 SCR; and whether new proposals, such as the life extension for Mill Creek 2; and the Mill Creek 2 and 6 Adjustment Clauses are properly before the Commission and ripe for decision. The Commission also strongly encouraged all parties who were granted intervention in this matter to submit briefs on these topics as well as other topics they believe relevant to the Commission final Order in this matter.

IT IS THEREFORE ORDERED that:

1. Joint Intervenors' July 7, 2025 motion is granted.
2. LG&E/KU's July 29, 2025 motion is granted.
3. LG&E/KU's July 30, 2025 motion is granted.
4. Joint Intervenors' August 1, 2025 motion is granted.
5. Filings made on or after February 14, 2025 in Case No. 2024-00326 are incorporated by reference into this case record.
6. Post-hearing requests for information, if any, shall be filed on or before August 13, 2025.
7. Responses to post-hearing requests for information shall be filed on or before Friday, August 22, 2025.
8. LG&E/KU shall file an initial memorandum brief in support of their post-hearing position and above listed topics on or before September 5, 2025.

9. Each party, should the party choose to do so, may file an initial memorandum brief in support of their post-hearing position and above listed topics on or before September 5, 2025.

10. Each party, should the party choose to do so, may file a response brief, limiting its arguments solely to those raised in the initial briefs on or before September 17, 2025.

11. This case shall stand submitted for a decision by the Commission effective 12:01 a.m. Eastern Daylight Time, September 18, 2025.

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PUBLIC SERVICE COMMISSION


Chairman


Commissioner


Commissioner

ATTEST:


Executive Director



*Angela M Goad
Assistant Attorney General
Office of the Attorney General Office of Rate
700 Capitol Avenue
Suite 20
Frankfort, KY 40601-8204

*Byron Gary
Kentucky Resources Council, Inc.
Post Office Box 1070
Frankfort, KY 40602

*John Horne
Office of the Attorney General Office of Rate
700 Capitol Avenue
Suite 20
Frankfort, KY 40601-8204

*Ashley Wilmes
Kentucky Resources Council, Inc.
Post Office Box 1070
Frankfort, KY 40602

*Honorable David Edward Spenard
Strobo Barkley PLLC
239 South 5th Street
Ste 917
Louisville, KY 40202

*Joshua Smith
Sierra Club
2101
Webster St. , Suite 1300
Oakland, CA 94612

*Honorable Allyson K Sturgeon
Vice President and Deputy General Counsel-
LG&E and KU Energy LLC
220 West Main Street
Louisville, KY 40202

*Honorable W. Duncan Crosby III
Attorney at Law
Stoll Keenon Ogden, PLLC
2000 PNC Plaza
500 W Jefferson Street
Louisville, KY 40202-2828

*Kristin Henry
Staff Attorney
Sierra Club Environmental Law Program
2101 Webster Street
Suite 1300
Oakland, CA 94612

*Audrey Ernstberger
Kentucky Resources Council, Inc.
Post Office Box 1070
Frankfort, KY 40602

*Thomas J FitzGerald
Counsel & Director
Kentucky Resources Council, Inc.
Post Office Box 1070
Frankfort, KY 40602

*Larry Cook
Assistant Attorney General
Office of the Attorney General Office of Rate
700 Capitol Avenue
Suite 20
Frankfort, KY 40601-8204

*Bethany Baxter
Childers & Baxter PLLC
300 Lexington Building, 201 West Sho
Lexington, KY 40507

*James W Gardner
Sturgill, Turner, Barker & Moloney, PLLC
333 West Vine Street
Suite 1400
Lexington, KY 40507

*Michael West
Office of the Attorney General Office of Rate
700 Capitol Avenue
Suite 20
Frankfort, KY 40601-8204

*Honorable William H May, III
Attorney at Law
Hurt, Crosbie & May PLLC
The Equus Building
127 West Main Street
Lexington, KY 40507

*Jody Kyler Cohn
Boehm, Kurtz & Lowry
425 Walnut Street
Suite 2400
Cincinnati, OH 45202

*Honorable Michael L Kurtz
Attorney at Law
Boehm, Kurtz & Lowry
425 Walnut Street
Suite 2400
Cincinnati, OH 45202

*William H May, III
Hurt, Deckard & May
The Equus Building
127 West Main Street
Lexington, KY 40507

*Joe F. Childers
Childers & Baxter PLLC
300 Lexington Building, 201 West Sho
Lexington, KY 40507

*Honorable Matthew R Malone
Attorney at Law
Hurt, Deckard & May
The Equus Building
127 West Main Street
Lexington, KY 40507

*Nathaniel Shoaff
Sierra Club
2101
Webster St. , Suite 1300
Oakland, CA 94612

*Louisville Gas and Electric Company
820 West Broadway
Louisville, KY 40203

*Rick E Lovekamp
Manager - Regulatory Affairs
LG&E and KU Energy LLC
220 West Main Street
Louisville, KY 40202

*Sara Judd
Senior Corporate Attorney
LG&E and KU Energy LLC
220 West Main Street
Louisville, KY 40202

*Robert Conroy
Vice President, State Regulation and Rates
LG&E and KU Energy LLC
220 West Main Street
Louisville, KY 40202

*Toland Lacy
Office of the Attorney General
700 Capital Avenue
Frankfort, KY 40601

*Rebecca C. Price
Sturgill, Turner, Barker & Moloney
155 East Main Street
Lexington, KY 40507

*Tony Mendoza
Staff Attorney
Sierra Club Environmental Law Program
2101 Webster Street
Suite 1300
Oakland, CA 94612

*Randal A. Strobo
Strobo Barkley PLLC
239 South 5th Street
Ste 917
Louisville, KY 40202

*M. Todd Osterloh
Sturgill, Turner, Barker & Moloney, PLLC
333 West Vine Street
Suite 1400
Lexington, KY 40507

*Simon Mahan
Southern Renewable Energy Association
11610 Pleasant Ridge Road
Suite 103
Little Rock, AR 72223

*Whit Cox
Southern Renewable Energy Association
11610 Pleasant Ridge Road
Suite 103
Little Rock, AR 72223

*Kentucky Utilities Company
220 W. Main Street
P. O. Box 32010
Louisville, KY 40232-2010