

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF DUKE ENERGY KENTUCKY,)	
INC. FOR APPROVAL OF AN ENERGY)	CASE NO.
EFFICIENCY PLAN, INCLUDING AN ENERGY)	2008-00495
EFFICIENCY RIDER AND PORTFOLIO OF)	
ENERGY EFFICIENCY PROGRAMS)	

DATA REQUEST OF COMMISSION STAFF TO
THE KROGER COMPANY

The Kroger Company ("Kroger"), pursuant to 807 KAR 5:001, is to file with the Commission the original and eight copies of the following information, with a copy to all parties of record. The information requested herein is due on or before June 8, 2009. Responses to requests for information shall be appropriately bound, tabbed and indexed. Each response shall include the name of the witness responsible for responding to the questions related to the information provided.

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

Kroger shall make timely amendment to any prior response if it obtains information which indicates that the response was incorrect when made or, though

correct when made, is now incorrect in any material respect. For any request to which Kroger fails or refuses to furnish all or part of the requested information, Kroger shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

Careful attention shall be given to copied material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request. When applicable, the requested information shall be separately provided for total company operations and jurisdictional operations.

1. Refer to page 1 of the Direct Testimony of Kevin C. Higgins (“Higgins Testimony”), which indicates Kroger operates 26 stores and other facilities served by Duke Energy Kentucky, Inc. (“Duke Kentucky”). According to Mr. Higgins, Kroger purchases, on an aggregate basis, more than 47 million kWh annually from Duke Kentucky.

a. Provide a breakdown of the 26 Kroger operations located in the Duke Kentucky service area showing the number of grocery stores and the number of other facilities. Provide a specific identification of both stores and other facilities.

b. For what 12-month period did Kroger purchase, in aggregate, more than 47 million kWh from Duke Kentucky?

c. Provide Kroger’s aggregate annual kWh purchases from Duke Kentucky for each of the last five calendar years.


d. For the 12-month period identified in response to item b. of this request, provide a breakdown of the aggregate annual purchases of more than 47 million kWh, showing the kWh purchases by each of the 26 stores and other facilities.

2. Refer to pages 4–8 of the Higgins Testimony and Attachment KCH-2.

a. As recited on page 4 of the Higgins Testimony, the Demand-Side Management cost recovery rider currently employed by Duke Kentucky includes program costs, a financial incentive, and recovery of lost revenues on an ongoing basis. Explain why Mr. Higgins' composite program examples, which he compares to Duke Kentucky's proposal, include only (1) program costs or (2) program costs and a financial incentive.

b. Provide a revised version of Attachment KCH-2 which reflects, on a present value basis, the impact of including lost revenue recovery for the 10 years used in Mr. Higgins's composite program examples.

3. Refer to pages 9 -11 of the Higgins Testimony. Given the annual level of Kroger's kWh purchases from Duke Kentucky, explain in detail why Mr. Higgins' opt-out proposal for all non-residential customers is based on an aggregate consumption of only 25 million kWh per year.

for 

Jeff Derouen
Executive Director
Public Service Commission
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cc: Parties of Record

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