

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 FOR CERTIFICATES)	2016-00370
OF PUBLIC CONVENIENCE AND NECESSITY)	

ORDER

This matter is before the Commission upon the motion of Alice Howell, Carl Vogel, and Sierra Club (collectively, “Movants”) requesting intervention in this proceeding. In support of their motion, Movants state that they have special interests in rate adjustments and infrastructure projects related to advanced metering and distribution automation proposed by Kentucky Utilities Company (“KU”) in this proceeding. Ms. Howell and Mr. Vogel indicate that they are residential customers of KU and members of the Sierra Club. Movants assert that their interests in this proceeding are to ensure that energy efficiency, conservation, and distributed generation are advanced by KU’s rate designs, resource planning, and expenditures. In particular, Movants contend that their special interests are implicated in this matter because KU’s proposed rate design would not incentivize conservation and energy-efficient behaviors, but rather would make customers less financially able to invest in energy-saving products or distributed generation. Movants also contend that their special interests in this matter are not otherwise adequately represented by any other party in this proceeding because no other party has either the expertise or the inclination to appropriately present and defend such interests. Lastly, Movants assert

that their intervention will assist the Commission in fully considering this matter without unduly complicating or disrupting the proceedings.

On December 29, 2016, KU filed a response objecting to Movants' request to intervene. KU contends that Movants' motion fails to demonstrate a special interest in this proceeding because the stated interests are either not within the Commission's jurisdiction or are adequately represented by other parties and further fails to show that Movants will identify any relevant issues or develop relevant facts that will assist the Commission in the resolution of this matter without unduly complicating and disrupting the proceeding. KU contends that Movants' stated special interests are no different from those of any other KU residential customer and that those special interests are adequately represented by the Attorney General of the Commonwealth of Kentucky or by the Community Action Council for Lexington-Fayette, Bourbon, Harrison, and Nicholas Counties, who are both intervenors in this matter. KU argues that Movants' special interest in distributed generation is not one that falls within the Commission's jurisdiction over rates and services of a utility because distributed generation consists of measures taken by individual customers and not by KU.

On January 3, 2017, Movants filed a reply in support of their motion to intervene. Movants point out that the Commission granted Movants' intervention request in KU's last rate case, Case No. 2014-00371,¹ over the same objections that are being raised by KU in the instant matter. Movants contend that KU has failed to provide any new reasons why the Commission's prior decision should not apply in this instance. Movants reiterate their special interests in ensuring that the rate structures, and any

¹ Case No. 2014-00371, *Application of Kentucky Utilities Company for an Adjustment of Its Electric Rates* (Ky. PSC Jan. 13, 2015).

capital expenditure projects proposed by KU, advance the important objectives of promoting individual as well as systemic efficiencies, energy conservation, and distributed generation. Movants note that the furtherance of those objectives reduces costs for customers as well as utilities, as expenses are avoided for energy production and transmission. Movants further maintain that they have deep expertise and experience before this and other commissions regarding examining cost-of-service studies, evaluating the implications on costs and efficiency of structuring rates so that customers pay more simply to be a customer and less for actually using energy, and assessing best practices for deploying smart grid technologies.

Having reviewed the pleadings and being otherwise sufficiently advised, the Commission finds that Movants possess special knowledge and expertise in multiple areas, including rate design and its impact on energy efficiency and energy conservation, as well as evaluation of capital spending related to smart grid technologies. Such issues are all within the scope of the Commission's jurisdiction over rates and services. Accordingly, because Movants are likely to present issues and develop facts that will assist the Commission in considering this matter without unduly complicating or disrupting the proceedings, the Commission finds that the request for intervention should be granted.

IT IS HEREBY ORDERED that:

1. The motion of Alice Howell, Carl Vogel, and the Sierra Club to intervene is granted.
2. Alice Howell, Carl Vogel, and the Sierra Club shall be 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. Alice Howell, Carl Vogel, and the Sierra Club shall adhere to the procedural schedule set forth in the Commission's December 13, 2016 Order.

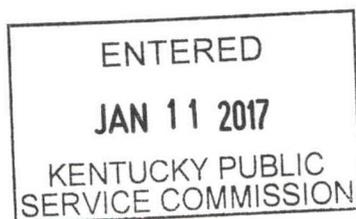
4. Alice Howell, Carl Vogel, and the Sierra Club shall comply with all provisions of the Commission's regulations, 807 KAR 5:001, Section 8, related to the service and electronic filing of documents.

5. Pursuant to 807 KAR 5:001, Section 8(9), within seven days of entry of this Order, Alice Howell, Carl Vogel, and the Sierra Club shall file a written statement with the Commission that:

a. Certifies that they, or their 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 should be served.

By the Commission



ATTEST:


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