

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matters of:

ELECTRONIC APPLICATION OF KENTUCKY)	
UTILITIES COMPANY FOR AN ADJUSTMENT)	
OF ITS ELECTRIC RATES, A CERTIFICATE)	
OF PUBLIC CONVENIENCE AND NECESSITY)	CASE NO.
TO DEPLOY ADVANCED METERING)	2020-00349
INFRASTRUCTURE, APPROVAL OF CERTAIN)	
REGULATORY AND ACCOUNTING)	
TREATMENTS, AND ESTABLISHMENT OF A)	
ONE-YEAR SURCREDIT)	

ELECTRONIC APPLICATION OF LOUISVILLE)	
GAS AND ELECTRIC COMPANY FOR AN)	
ADJUSTMENT OF ITS ELECTRIC AND GAS)	
RATES, A CERTIFICATE OF PUBLIC)	
CONVENIENCE AND NECESSITY TO DEPLOY)	CASE NO.
ADVANCED METERING INFRASTRUCTURE,)	2020-00350
APPROVAL OF CERTAIN REGULATORY AND)	
ACCOUNTING TREATMENTS, AND)	
ESTABLISHMENT OF A ONE-YEAR)	
SURCREDIT)	

ORDER

This matter arises on Kentucky Utilities Company (KU) and Louisville Gas and Electric Company's (LGE) (jointly, LG&E/KU) July 23, 2021 motion requesting a partial rehearing of the Commission's June 30, 2021 Order. On August 12, 2021, the Commission granted rehearing on the following issues: (1) disallowance of forecasted legal expenses; (2) rate case expense; (3) clarification of reporting requirements; (4) notice of modification of the stay-out provision; and (5) the TS-2 pipeline supplier rate. The Commission heard additional testimony from LG&E/KU at the evidentiary hearing held on August 17–18, 2021, that included witness testimony and hearing exhibits.

LG&E/KU responded to post-hearing discovery requests regarding these issues. This matter now stands submitted for a decision.

DISCUSSION AND FINDINGS

A summary of the Commission's adjustments to the June 30, 2021 Order are provided in Appendix A.

1. Forecasted Legal Fees

In the August 12, 2021 Order, the Commission granted rehearing for further consideration of the Commission's finding in the June 30, 2021 Order that LG&E/KU's forecasted legal fees should be disallowed. In the June 30, 2021 Order, the Commission disallowed recovery of LG&E/KU's forecasted legal expenses, explaining that LG&E/KU's refusal to provide disaggregated information rendered the Commission without sufficient evidence and detail to determine the reasonableness of the request. The Commission noted that LG&E/KU declined to provide disaggregated information regarding the forecasted legal fees, belatedly asserting that the information is attorney work product that is protected from disclosure.¹ LG&E/KU argued that the information was entitled to the work product protection because it was prepared in anticipation of litigation and was likely to reveal mental impressions, opinions, and legal theories of attorneys representing LG&E/KU.²

¹ LG&E/KU orally reserved the right to assert privilege at a hearing on April 26, 2021. See April 26, 2021 Hearing Video Transcript (HVT) at 4:08:10. LG&E/KU first formally asserted work product privilege in their Response to Commission Staff's Post-Hearing Request for Information (Staff's First Post-Hearing Request) (filed May 19, 2021), Item 14, after failing to assert the protection in response to two prior data requests. Though the Commission does not need to reach the issue, LG&E/KU likely waived its objection to producing the information or materials since the protection was not asserted in response to the prior data requests.

² LG&E/KU Response to Staff's First Post-Hearing Request (filed May 19, 2021), Item 14.

In their request for rehearing and at the August 17–18, 2021 hearing, LG&E/KU provided additional evidence regarding the forecasted legal expenses that contained sufficient detail for the Commission to determine the reasonableness of the forecasted legal expenses. Because LG&E/KU provided the information in greater detail and clarity, the Commission now has sufficient evidence to reach a finding that the forecasted legal expenses are reasonable. With the finding that the expenses are reasonable, the Commission finds that KU should recover in rates \$4,260,000 in forecasted legal fees that were previously disallowed, and that LG&E Electric should recover in rates \$960,000 and LG&E Gas should recover in rates \$2,880,000 in forecasted legal fees that were previously disallowed.

Without rehashing the discussion in the June 30, 2021 and August 12, 2021 Orders, the Commission puts LG&E/KU on notice that we expect the same degree of detail regarding forecasted legal fees in future proceedings that was provided upon rehearing in this proceeding. Put another way, the Commission expects that LG&E/KU will file sufficient evidence to justify the forecasted legal fees because the Commission will not accept boiler plate summaries and broad categories as sufficient evidence in future proceedings. The Commission reminds LG&E/KU that they are the masters of their own responses to discovery requests. The Commission expects LG&E/KU to respond in all candor, with a full and complete response, to discovery requests. As an applicant requesting a general rate increase, including a request to recover the cost of legal fees from ratepayers, LG&E/KU have the burden of proof to show that a rate increase, and the underlying expenses, are just and reasonable. KRS 278.190(3) does not create a

presumption that LG&E/KU should receive the benefit of the doubt in their filings, particularly where LG&E/KU is asking ratepayers to pay a purported cost of business.³

Regarding LG&E/KU's assertion of the work product protection, based upon a review of the assertion by LG&E/KU and the case record (including the information ultimately submitted), and being otherwise sufficiently advised, the Commission concludes that LG&E/KU's assertion of privilege for the forecasted legal fee information filed in response to Staff's First Post-Hearing Request, Item 14, should be denied for failing to meet the burden of proof that the protection covered the information in question. LG&E/KU orally reserved the right to make an assertion of privileges and protections at the April 2021 hearing, but waited almost one month until May 19, 2021, to actually assert the work product protection.⁴

The Kentucky Rules of Civil Procedure, CR 26.02(3)(a) codify the work product protection, and allows for the assertion of a protection against discovery of "documents and tangible things" prepared in anticipation of litigation. Although Commission proceedings are not governed by the Kentucky Rules of Civil Procedure, the Commission previously held that the work product protection "must be recognized" in Commission

³ In many ways the request to shift legal fees and associated expenses to ratepayers is analogous to a petition to recover fees under various fee shifting statutes. In such cases, prevailing parties must provide sufficient detail to justify their fee petitions, and cannot use blanket assertions of either the attorney-client privilege or work product protection to shield that information. *See, e.g., Reed v. Rhodes*, 934 F. Supp. 1492, 1507 (N.D. Ohio 1996). As the Court recognized in *Reed*, the Commission "recognizes a legitimate concern for the protection of the attorney-client privilege and the work product [protection]," but the Commission must have sufficient detail to permit it to "fairly evaluate the measure of time devoted to . . . the work performed." *Id.* Notably, the information accepted here by the Commission is less than that normally demanded by courts under fee shifting statutes, and in no way compromises any privilege or protection.

⁴ April 26, 2021 HVT at 4:08:10; and LG&E/KU's Response to Staff's First Post-Hearing Request (filed May 19, 2021), Item 14.

proceedings.⁵ Because LG&E/KU raised the work product protection as a bar to producing evidence requested by the Commission, LG&E/KU bear the burden of proving the factual basis for the protection.⁶ That burden can be met by, among other things, providing a detailed log with descriptions of the documents sufficient to establish that a privilege or protection exists.⁷ In their written assertion, LG&E/KU proffered only a broad and non-specific work product claim, and never produced any documents, such as a detailed log with descriptions, that established a factual basis to support the allegation that the documents are covered by the work product protection. Additionally, LG&E/KU's assertion was filed after failing to object to two prior data requests for the same information, and within a few hours of the deadline to file post-hearing data request responses, which marked the close of evidence in accordance with 807 KAR 5:001, Section 11(4). By waiting until the close of evidence, LG&E/KU provided the Commission with little time to request additional information regarding the assertion. For the reasons set forth above and because LG&E/KU failed to meet their burden of proof that the material is covered by the work product protection, the Commission finds that LG&E/KU's assertion of the work product protection for their responses to Staff's First Post-Hearing Request, Item 14, should be denied.

2. Rate Case Expense

In the August 12, 2021 Order, the Commission granted rehearing and allowed LG&E/KU to modify the amount of rate case expense approved by the Commission to

⁵ See Case No. 2009-00549, *Application of Louisville Gas and Electric Company for an Adjustment of Electric and Gas Base Rates* (Ky. July 30, 2010) at 9.

⁶ See *The St. Luke Hospitals, Inc. v. Kopowski*, 160 S.W.3d 771 (Ky. 2005).

⁷ See *Collins v. Braden*, 384 S.W.3d 154, 164 (Ky. 2012).

include rate case expenses incurred after the June 30, 2021 Order because the cases were continued to develop a robust record on the qualified facilities and net metering service tariffs. According to the rate case expense updates filed on July 23, 2021, and August 25, 2021,⁸ LG&E/KU incurred additional rate case expenses that the Commission finds should be included in rate case expense that is recovered in rates. The Commission will adjust the amortization of rate case expense to reflect LG&E/KU's actual expenses, which results in an incremental revenue requirement increase of \$36,147.09 for LG&E's electric operations, \$216.07 for LG&E's gas operations, and \$54,354.35 for KU.

3. Clarification of Reporting Requirements

In the August 12, 2021 Order, the Commission granted rehearing on LG&E/KU's request to better align dates for filing certain reports with the availability of the most current, end-of-quarter financial information. LG&E/KU proposed the below schedule:

KU – Case No. 2020-00349 – June 30, 2021 Order				
Ordering Paragraph	Reporting Topic	Reporting Frequency	Requested Due Date	Proposed Due Date
6	AMI	Quarterly	9/30/2021	10/30/2021
8	AMI	Annual	6/30/2022	7/30/2022
11	AMI	Annual	6/30/2022	7/30/2022
13	AMI	Annual	6/30/2022	7/30/2022

LG&E – Case No. 2020-00350 – June 30, 2021 Order				
Ordering Paragraph	Reporting Topic	Reporting Frequency	Requested Due Date	Proposed Due Date
6	AMI	Quarterly	9/30/2021	10/30/2021
8	AMI	Annual	6/30/2022	7/30/2022
11	AMI	Annual	6/30/2022	7/30/2022
13	AMI	Annual	6/30/2022	7/30/2022
26	BREC Settlement	Annual	6/30/2022	7/30/2022

⁸ See LG&E/KU's Supplemental Responses to Commission Staff's First Request for Information (filed July 23, 2021 and Aug. 25, 2021), Item 14d.

The Commission finds that LG&E/KU's proposed filing dates are acceptable, and therefore should be approved.

4. Notice of Modification of the Stay-Out Provision

In the August 12, 2021 Order, the Commission granted rehearing on LG&E/KU's request for clarification of the process by which LG&E/KU would provide notice to and seek approval from the Commission if LG&E/KU had to request rate relief prior to the end of the stay-out period established in the Stipulation and Settlement Agreement.

To the extent that clarification is necessary, the Commission finds that LG&E/KU must file a formal application before seeking rate relief, and that LG&E/KU must provide the Commission with at least 30 days' notice prior to filing the formal application for permission to seek rate relief. The Stipulation in these matters stated, "The Utilities will retain the right to seek emergency rate relief under KRS 278.190(2) to avoid a material impairment or damage to their credit or operations."⁹ KRS 278.190 does not provide for "emergency rate relief," as seemingly envisioned by the parties, but rather permits a utility, upon filing new rates or charges, to seek Commission approval to assess all or a portion of the proposed rates to become effective, subject to refund, during the suspension period. In order to grant a utility's request to allow the rates to become effective during the suspension, the Commission must find that the company's credit or operations will be materially impaired or damaged by the failure to permit the rates to become effective during the suspension period. This is of course a factual determination the Commission must make, and it is without argument that a utility cannot determine this for itself. As such, the Stipulation provision does not necessarily provide the utility with rate relief, it

⁹ Kent W. Blake Stipulation Testimony Exhibit KWB-1 (filed Apr. 19, 2021) at 4.

instead permits the utility to file a rate case, and after filing that case, seek the ability to charge those proposed rates during the suspension period. If, for instance, that does occur and the Commission find's that the utility's situation does not rise to the level envisioned by KRS 278.190(2) necessitating interim rate relief, the utility still has a pending rate case that the Commission must adjudicate within the confines of its statutory and regulatory obligations. As such, the Commission was and is concerned with the overbroad term in the Stipulation regarding emergency rate relief. Therefore, and according to the language of the Stipulation, in order to "seek emergency rate relief" before the proposed "stay-out" expires, the utility shall file an application seeking to assert that Stipulation provision. The Commission will grant the utility's ability to subsequently file a base rate adjustment under KRS 278.190 if the Commission finds that the utility's credit or operations will be materially impaired or damaged by the failure to permit a rate adjustment. This is the same or similar standard contained in KRS 278.190(2) and thus is the standard the parties have already agreed to as the basis for when or if LG&E/KU can seek rate relief as an exception to the stay-out provision provided for in the Stipulation. This clarification merely provides a process by which LG&E/KU may assert their rights under the tendered Stipulation. The Commission will commit to adjudicating such an application as quickly as feasible, and place it at the front of its docket.

5. TS-2 pipeline supplier rate

In the August 12, 2021 Order, the Commission concurred with LG&E/KU that the TS-2 pipeline supplier rate in Appendix B to the Order in Case No. 2020-00350 was incorrect. However, this error only impacted the month of July 2021 because the TS-2 pipeline supplier rate was subsequently updated. At the August 17–18, 2021, hearing,

the Commission conducted cross-examination and determined there was not any over or under recovery in the TS-2 pipeline supplier rate.

IT IS THEREFORE ORDERED that:

1. The Order of June 30, 2021 is amended to reflect the modifications discussed in this Order.

2. The rates and charges for LG&E/KU, as set forth in Appendix B and C to this Order, are fair, just and reasonable rates, and these rates are approved for service rendered on and after the date of entry of this Order.

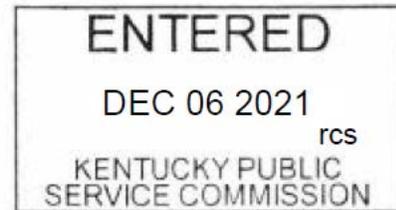
3. Within 20 days of the date of this Order, LG&E/KU shall file with the Commission, using the Commission's electronic Tariff Filing System, new tariff sheets setting forth the rates, charges, and modifications approved or as required herein and reflecting their effective date and that they were authorized by this Order.

4. This case is closed and removed from the Commission's docket.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

By the Commission

Commissioner Marianne Butler did not participate in the deliberations or decision concerning this case.



ATTEST:

A handwritten signature in blue ink that reads "Linda G. Bindwell". The signature is written in a cursive style.

Executive Director

Case No. 2020-00349
Case No. 2020-00350

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NOS. 2020-00349 AND 2020-00350 DATED DEC 06 2021

KU			
June 30, 2021			
	Order	Rehearing	Difference
Base Rate Increase Requested by KU	169.90	169.90	-
Reduce Pension and OPEB Expenses to 2020 Levels	(3.90)	(3.90)	-
Reduce Depreciation Expense to Reflect Present Depr. Rates for Brown 3	(33.00)	(33.00)	-
Adjust Rate Case Expense to Actual	(0.05)	0.01	0.05
Remove Forecasted Legal Fees	(4.26)	-	4.26
Remove EEI Dues	(0.45)	(0.45)	-
Reduce LTD Rate Related to June 30, 2021 Issuance	(0.47)	(0.47)	-
Reduce Return on Equity from 10.0%	(21.46)	(21.46)	-
Total Adjustments to KU's Base Rate Increases	(63.58)	(59.27)	4.31
Base Rate Increase After Adjustments	106.32	110.63	4.31

LG&E			
Electric Operations			
June 30, 2021			
	Order	Rehearing	Difference
Base Rate Increase Requested by LG&E - Electric Operations	128.40	128.40	-
Reduce Pension and OPEB Expenses to 2020 Levels	(3.00)	(3.00)	-
Reduce Depreciation Expense to Reflect Present Depr. Rates for Mill Creek 1 & 2	(36.50)	(36.50)	-
Adjust Rate Case Expense to Actual	(0.04)	0.00	0.04
Remove Forecasted Legal Fees	(0.96)	-	0.96
Remove EEI Dues	(0.33)	(0.33)	-
Reduce LTD Rate Related to June 30, 2021 Issuance	(0.67)	(0.67)	-
Reduce Return on Equity from 10.0%	(14.19)	(14.19)	-
Total Adjustments to LG&E's Electric Operations Base Rate Increases	(55.68)	(54.68)	1.00
Base Rate Increase After Adjustments	72.72	73.72	1.00

LG&E			
Gas Operations			
June 30, 2021			
	Order	Rehearing	Difference
Base Rate Increase Requested by LG&E - Gas Operations	33.00	33.00	-
Reduce Pension and OPEB Expenses to 2020 Levels	(1.00)	(1.00)	-
Reduce Increase for Maintenance of Mains in Account 868	(4.20)	(4.20)	-
Adjust Rate Case Expense to Actual	(0.01)	(0.01)	0.00
Remove Forecasted Legal Fees	(2.88)	-	2.88
Reduce LTD Rate Related to June 30, 2021 Issuance	(0.20)	(0.20)	-
Reduce Return on Equity from 10.0%	(4.34)	(4.34)	-
Total Adjustments to LG&E's Gas Operations Base Rate Increases	(12.64)	(9.76)	2.88
Base Rate Increase After Adjustments	20.36	23.24	2.88

APPENDIX B

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NOS. 2020-00349 AND 2020-00350 DATED DEC 06 2021

The following rates and charges are prescribed for the customers in the area served by Kentucky Utilities Company. All other rates and charges not specifically mentioned herein shall remain the same as those in effect under authority of this Commission prior to the effective date of this Order.

SCHEDULE RS
RESIDENTIAL SERVICE

Basic Service Charge per Day	\$ 0.53
Energy Charge per kWh	
Infrastructure	\$ 0.06556
Variable	<u>\$ 0.03200</u>
Total	\$ 0.09756

SCHEDULE RTOD-ENERGY
RESIDENTIAL TIME-OF-DAY ENERGY SERVICE

Basic Service Charge per Day	\$ 0.53
Energy Charge per kWh	
Off-Peak Hours - Infrastructure	\$ 0.03236
Off-Peak Hours - Variable	<u>\$ 0.03200</u>
Total	\$ 0.06436
On-Peak Hours (Infrastructure)	\$ 0.18489
On-Peak Hours (Variable)	<u>\$ 0.03200</u>
Total	\$ 0.21689

SCHEDULE RTOD-DEMAND
RESIDENTIAL TIME-OF-DAY DEMAND SERVICE

Basic Service Charge per Day	\$ 0.53
Energy Charge per kWh	
Infrastructure	\$ 0.01276
Variable	<u>\$ 0.03200</u>
Total	\$ 0.04476
Demand Charge per kW	

Base Hours	\$ 3.92
Peak Hours	\$ 10.13

SCHEDULE VFD
VOLUNTEER FIRE DEPARTMENT

Basic Service Charge per day	\$ 0.53
Energy Charge per kWh	
Infrastructure	\$ 0.06556
Variable	<u>\$ 0.03200</u>
Total	\$ 0.09756

SCHEDULE GS
GENERAL SERVICE RATE

Basic Service Charge per Day	
Single Phase	\$ 1.35
Three Phase	\$ 2.15
Energy charge per kWh	
Infrastructure	\$ 0.08673
Variable	<u>\$ 0.03253</u>
Total	\$ 0.11926

SCHEDULE GTOD-ENERGY
GENERAL TIME-OF-DAY ENERGY SERVICE

Basic Service Charge per Day	
Single Phase	\$ 1.35
Three Phase	\$ 2.15
Energy Charge per kWh	
Off-Peak Hours - Infrastructure	\$ 0.04813
Off-Peak Hours - Variable	<u>\$ 0.03253</u>
Total	\$ 0.08066
On-Peak Hours (Infrastructure)	\$ 0.26622
On-Peak Hours (Variable)	<u>\$ 0.03253</u>
Total	\$ 0.29875

SCHEDULE GTOD-DEMAND
GENERAL TIME-OF-DAY DEMAND SERVICE

Basic Service Charge per Day	
Single Phase	\$ 1.35

Three Phase	\$ 2.15
Energy Charge per kWh	
Infrastructure	\$ 0.03642
Variable	<u>\$ 0.03253</u>
Total	\$ 0.06895
Demand Charge per kW	
Base Hours	\$ 5.47
Peak Hours	\$ 14.16

SCHEDULE AES
ALL ELECTRIC SCHOOL

Basic Service Charge per Day	
Single Phase	\$ 2.80
Three Phase	\$ 4.60
Energy charge per kWh	
Infrastructure	\$ 0.06470
Variable	<u>\$ 0.03223</u>
Total	\$ 0.09693

SCHEDULE PS
POWER SERVICE

Secondary Service:

Basic Service Charge per Day	\$ 2.96
Demand Charge per kW:	
Summer Rate	\$ 25.30
Winter Rate	\$ 22.66
Energy Charge per kWh	\$ 0.03248

Primary Service:

Basic Service Charge per Day	\$ 7.89
Demand Charge per kW:	
Summer Rate	\$ 25.27
Winter Rate	\$ 22.68
Energy Charge per kWh	\$ 0.03214

SCHEDULE TODS
TIME-OF-DAY SECONDARY SERVICE

Basic Service Charge per Day	\$ 7.32
Maximum Load Charge per kVa:	
Base Demand Period	\$ 3.25
Intermediate Demand Period	\$ 6.66

Peak Demand Period	\$ 8.28
Energy Charge per kWh	\$ 0.02919

SCHEDULE TODP
TIME-OF-DAY PRIMARY SERVICE

Basic Service Charge per Day	\$ 10.77
Maximum Load Charge per kVA:	
Base Demand Period	\$ 2.79
Intermediate Demand Period	\$ 7.38
Peak Demand Period	\$ 9.20
Energy Charge per kWh	\$ 0.02573

SCHEDULE RTS
RETAIL TRANSMISSION SERVICE

Basic Service Charge per Day	\$ 49.28
Maximum Load Charge per kVA:	
Base Demand Period	\$ 2.16
Intermediate Demand Period	\$ 7.19
Peak Demand Period	\$ 8.95
Energy Charge per kWh	\$ 0.02513

SCHEDULE FLS
FLUCTUATING LOAD SERVICE

Primary:

Basic Service Charge per Day	\$ 10.77
Maximum Load Charge per kVA:	
Base Demand Period	\$ 2.93
Intermediate Demand Period	\$ 6.50
Peak Demand Period	\$ 8.23
Energy Charge per kWh	\$ 0.03128

Transmission:

Basic Service Charge per Day	\$ 49.28
Maximum Load Charge per kVA:	
Base Demand Period	\$ 1.49
Intermediate Demand Period	\$ 2.75
Peak Demand Period	\$ 3.78
Energy Charge per kWh	\$ 0.03051

SCHEDULE LS
LIGHTING SERVICE

Rate per Light per Month: (Lumens Approximate)

Overhead:

	<u>Fixture Only</u>
Light Emitting Diode	
6,000 – 8,200 Lumens – Cobra Head	\$ 9.56
13,000 – 16,500 Lumens – Cobra Head	\$ 11.51
22,000 – 29,000 Lumens – Cobra Head	\$ 14.77
4,500 – 6,000 Lumens – Open Bottom	\$ 7.88
2,500 – 4,000 Lumens – Cobra Head	\$ 8.23
4,000– 6,000 Lumens – Cobra Head	\$ 8.77
4,500 – 6,000 Lumens – Directional (Flood)	\$ 10.72
14,000 – 17,500 Lumens – Directional (Flood)	\$ 12.61
22,000 – 28,000 Lumens – Directional (Flood)	\$ 14.95
35,000 – 50,000 Lumens – Directional (Flood)	\$ 21.62
Wood Pole	
PK5	\$ 8.56

Underground:

	<u>Fixture Only</u>
Light Emitting Diode	
2,500 – 4,000 Lumens – Cobra Head	\$ 4.13
4,000 – 6,000 Lumens – Cobra Head	\$ 4.64
6,000 – 8,200 Lumens – Cobra Head	\$ 5.45
13,000 – 16,500 Lumens – Cobra Head	\$ 7.40
22,000 – 29,000 Lumens – Cobra Head	\$ 10.66
4,000 – 7,000 Lumens Colonial, 4-Sided	\$ 7.16
4,000 – 7,000 Lumens – Acorn	\$ 8.66
4,000 – 7,000 Lumens – Contemporary	\$ 6.85
8,000 – 11,000 Lumens – Contemporary	\$ 8.19
13,500 – 16,500 Lumens – Contemporary	\$ 10.06
21,000 – 28,000 Lumens – Contemporary	\$ 14.52
45,000 – 50,000 Lumens – Contemporary	\$ 20.16
4,500 – 6,000 Lumens – Directional (Flood)	\$ 8.17
14,000 – 17,500 Lumens – Directional (Flood)	\$ 10.06
22,000 – 28,000 Lumens – Directional (Flood)	\$ 12.40
35,000 – 50,000 Lumens – Directional (Flood)	\$ 19.07
4,000 – 7,000 Victorian	\$ 21.33
Pole Charges	
Cobra	\$ 12.62
Contemporary	\$ 11.69
Post Top-Decorative Smooth	\$ 8.73
Post Top-Historic Fluted	\$ 14.47

One-Time Conversion Fee	\$197.16
Conversion Fee per month for 60 months	\$ 3.29

OSL
OUTDOOR SPORTS LIGHTING SERVICE

Secondary Service:

Basic Service Charge per Day	\$ 2.96
Maximum Load Charge per kW:	
Peak Demand Period	\$ 19.74
Base Demand Period	\$ 2.93
Energy Charge per kWh	\$ 0.02919

Primary Service:

Basic Service Charge per Day	\$ 7.89
Maximum Load Charge per kW:	
Peak Demand Period	\$ 16.36
Base Demand Period	\$ 2.51
Energy Charge per kWh	\$ 0.02573

APPENDIX C

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NOS. 2020-00349 AND 2020-00350 DATED DEC 06 2021

The following rates and charges are prescribed for the customers in the area served by Louisville Gas and Electric Company. All other rates and charges not specifically mentioned herein shall remain the same as those in effect under authority of this Commission prior to the effective date of this Order.

ELECTRIC SERVICE RATES

SCHEDULE RS
RESIDENTIAL SERVICE

Basic Service Charge per Day	\$ 0.45
Energy Charge per kWh	
Infrastructure	\$ 0.06927
Variable Energy	\$ 0.03245
Total	\$ 0.10172

SCHEDULE RTOD-ENERGY
RESIDENTIAL TIME-OF-DAY ENERGY SERVICE

Basic Service Charge per Day	\$ 0.45
Energy Charge per kWh	
Off-Peak Hours – Infrastructure	\$ 0.04887
Off-Peak Hours – Variable	\$ 0.03245
Total	\$ 0.08132
On-Peak Hours (Infrastructure)	\$ 0.14562
On-Peak Hours (Variable)	\$ 0.03245
Total	\$ 0.17807

SCHEDULE RTOD-DEMAND
RESIDENTIAL TIME-OF-DAY DEMAND SERVICE

Basic Service Charge per Day	\$ 0.45
Energy charge per kWh	
Infrastructure	\$ 0.02095
Variable	\$ 0.03245
Total	\$ 0.05340
Demand Charge per kW	

Base Hours	\$ 4.18
Peak Hours	\$ 9.16

SCHEDULE VFD
VOLUNTEER FIRE DEPARTMENT

Basic Service Charge per Day	\$ 0.45
Energy Charge per kWh	
Infrastructure	\$ 0.06927
Variable Energy	<u>\$ 0.03245</u>
Total	\$ 0.10172

SCHEDULE GS
GENERAL SERVICE RATE

Basic Service Charge per Day	
Single Phase	\$ 1.16
Three Phase	\$ 1.85
Energy charge per kWh	
Infrastructure	\$ 0.08595
Variable	<u>\$ 0.03340</u>
Total	\$ 0.11935

SCHEDULE GTOD-ENERGY
GENERAL TIME-OF-DAY ENERGY SERVICE

Basic Service Charge per Day	
Single Phase	\$ 1.16
Three Phase	\$ 1.85
Energy Charge per kWh	
Off-Peak Hours – Infrastructure	\$ 0.04704
Off-Peak Hours – Variable	<u>\$ 0.03340</u>
Total	\$ 0.08044
On-Peak Hours (Infrastructure)	\$ 0.21316
On-Peak Hours (Variable)	<u>\$ 0.03340</u>
Total	\$ 0.24656

SCHEDULE GTOD-DEMAND
GENERAL TIME-OF-DAY DEMAND SERVICE

Basic Service Charge per Day	
Single Phase	\$ 1.16
Three Phase	\$ 1.85
Energy Charge per kWh	
Off-Peak Hours – Infrastructure	\$ 0.02593
Off-Peak Hours – Variable	<u>\$ 0.03340</u>
Total	\$ 0.05933

Demand Charge per kW	
Base Hours	\$ 5.37
Peak Hours	\$ 11.75

SCHEDULE PS
POWER SERVICE

Secondary Service:

Basic Service Charge per Day	\$ 2.95
Demand Charge per kW:	
Summer Rate	\$ 27.57
Winter Rate	\$ 24.28
Energy Charge per kWh	\$ 0.03442

Primary Service:

Basic Service Charge per Day	\$ 7.89
Demand Charge per kW:	
Summer Rate	\$24.14
Winter Rate	\$21.02
Energy Charge per kWh	\$ 0.03359

SCHEDULE TODS
TIME-OF-DAY SECONDARY SERVICE

Basic Service Charge per Day	\$ 6.58
Maximum Load Charge per kVA:	
Base Demand Period	\$ 3.76
Intermediate Demand Period	\$ 7.48
Peak Demand Period	\$ 9.70
Energy Charge per kWh	\$ 0.03038

SCHEDULE TODP
TIME-OF-DAY PRIMARY SERVICE

Basic Service Charge per Day	\$ 10.84
Maximum Load Charge per kVA:	
Base Demand Period	\$ 2.45
Intermediate Demand Period	\$ 7.49
Peak Demand Period	\$ 9.78
Energy Charge per kWh	\$ 0.02742

SCHEDULE RTS
RETAIL TRANSMISSION SERVICE

Basic Service Charge per Day	\$ 49.28
Maximum Load Charge per kVA:	

Base Demand Period	\$ 1.93
Intermediate Demand Period	\$ 7.18
Peak Demand Period	\$ 9.36
Energy Charge per kWh	\$ 0.02705

SCHEDULE FLS
FLUCTUATING LOAD SERVICE

Primary:

Basic Service Charge per Day	\$ 10.84
Maximum Load Charge per kVA:	
Base Demand Period	\$ 2.32
Intermediate Demand Period	\$ 7.10
Peak Demand Period	\$ 9.34
Energy Charge per kWh	\$ 0.03236

Transmission:

Basic Service Charge per Day	\$ 49.28
Maximum Load Charge per kVA:	
Base Demand Period	\$ 1.67
Intermediate Demand Period	\$ 6.76
Peak Demand Period	\$ 8.95
Energy Charge per kWh	\$ 0.03183

SCHEDULE LS
LIGHTING SERVICE

Rate per Light per Month: (Lumens Approximate)

Overhead:

	<u>Fixture Only</u>
Light Emitting Diode	
5,500 – 8,200 Lumens – Cobra Head	\$ 10.43
13,000 – 16,500 Lumens – Cobra Head	\$ 12.39
22,000 – 29,000 Lumens – Cobra Head	\$ 15.66
4,500 – 6,000 Lumens – Open Bottom	\$ 9.47
2,500 – 4,000 Lumens – Cobra Head	\$ 9.09
4,000 – 6,000 Lumens – Cobra Head	\$ 9.63
4,500 – 6,000 Lumens – Directional (Flood)	\$ 11.91
14,000 – 17,500 Lumens – Directional (Flood)	\$ 13.83
22,000 – 28,000 Lumens – Directional (Flood)	\$ 16.19
35,000 – 50,000 Lumens – Directional (Flood)	\$ 22.86
Wood Pole	
PL6	\$ 7.08

Underground:

	<u>Fixture Only</u>
Light Emitting Diode	
2,500 – 4,000 Lumens – Cobra Head	\$ 4.41
4,000 – 6,000 Lumens – Cobra Head	\$ 4.92
5,500 – 8,200 Lumens – Cobra Head	\$ 5.75
13,000 – 16,500 Lumens – Cobra Head	\$ 7.72
22,000 – 29,000 Lumens – Cobra Head	\$ 10.99
4,000 – 7,000 Lumens Colonial, 4-Sided	\$ 7.43
4,000 – 7,000 Lumens – Acorn	\$ 7.24
4,000 – 7,000 Lumens – Contemporary	\$ 7.13
8,000 – 11,000 Lumens – Contemporary	\$ 8.47
13,500 – 16,500 Lumens – Contemporary	\$ 10.36
21,000 – 28,000 Lumens – Contemporary	\$ 14.81
45,000 – 50,000 Lumens – Contemporary	\$ 20.50
4,500 – 6,000 Lumens – Directional (Flood)	\$ 8.28
14,000 – 17,500 Lumens – Directional (Flood)	\$ 10.19
22,000 – 28,000 Lumens – Directional (Flood)	\$ 12.56
35,000 – 50,000 Lumens – Directional (Flood)	\$ 19.22
4,000 – 7,000 Lumens – Victorian	\$ 25.56
4,000 – 7,000 Lumens – London	\$ 27.13
Pole Charges	
Cobra	\$ 26.20
Contemporary (Short)	\$ 17.69
Contemporary (Tall)	\$ 22.82
Post Top – Decorative Smooth	\$ 15.72
Post Top – Historic Fluted	\$ 19.35
One-Time Conversion Fee	\$260.00
Monthly Conversion Fee	\$ 4.62

SCHEDULE RLS
RESTRICTED LIGHTING SERVICE

Overhead:

	<u>Fixture Only</u>	<u>Fixture & Wood Pole</u>	<u>Fixture & Orn. Pole</u>
Mercury Vapor:			
8,000 Lumens – Cobra/Open Bottom	\$11.67		
13,000 Lumens - Cobra Head	\$13.22		
25,000 Lumens - Cobra Head	\$16.17		
60,000 Lumens - Cobra Head	\$32.68		
25,000 Lumens – Directional	\$18.40		
60,000 Lumens – Directional	\$33.98		
4,000 Lumens - Open Bottom	\$10.13		

Metal Halide:

12,000 Lumens - Directional	\$15.99	\$18.87	
32,000 Lumens - Directional	\$22.07	\$24.53	\$ 32.54
107,800 Lumens - Directional	\$46.14	\$49.57	

High Pressure Sodium:

16,000 Lumens - Cobra Head	\$15.48
28,500 Lumens - Cobra Head	\$18.03
50,000 Lumens - Cobra Head	\$20.54
9,500 Lumens - Open Bottom	\$13.75
16,000 Lumens – Directional (Flood)	\$16.51
50,000 Lumens – Directional (Flood)	\$21.43

Underground:

	<u>Fixture Only</u>	<u>Decorative Pole</u>	<u>Fluted Pole</u>
High Pressure Sodium:			
16,000 Lumens – Cobra/Contemporary		\$29.63	
28,500 Lumens – Cobra/Contemporary		\$32.51	
50,000 Lumens – Cobra/Contemporary		\$37.08	
5,800 Lumens – Coach/Acorn		\$18.00	
9,500 Lumens – Coach/Acorn		\$21.39	
16,000 Lumens – Coach/Acorn		\$26.11	
120,000 Lumens – Contemporary	\$50.68	\$84.03	
9,500 Lumens – Acorn/Bronze		\$28.85	
16,000 Lumens – Acorn/Bronze		\$30.14	

5,800 Lumens – Victorian	\$24.43	\$37.59	\$38.33
9,500 Lumens – Victorian	\$24.90	\$39.85	\$43.01
5,800 Lumens – London	\$24.01	\$38.64	\$40.79
9,500 Lumens – London	\$25.44	\$39.58	\$40.76
5,800 Lumens – Colonial 4-Sided		\$23.88	
9,500 Lumens – Colonial 4-Sided		\$24.63	
16,000 Lumens – Colonial 4-Sided		\$24.53	
5,800 Lumens – Acorn		\$24.31	
9,500 Lumens – Acorn		\$26.91	
16,000 Lumens – Acorn		\$26.67	
4,000 Lumens – Dark Sky		\$28.39	
9,500 Lumens – Dark Sky		\$28.79	
16,000 Lumens – Cobra Head		\$31.27	
28,500 Lumens – Cobra Head		\$33.75	
50,000 Lumens – Cobra Head		\$40.01	
16,000 Lumens – Contemporary	\$19.38	\$35.23	
28,500 Lumens – Contemporary	\$21.47	\$38.00	
50,000 Lumens – Contemporary	\$25.83	\$44.09	
Mercury Vapor			
8,000 Lumens – Cobra Head		\$20.27	
13,000 Lumens – Cobra Head		\$22.82	
25,000 Lumens – Cobra Head		\$26.55	
4,000 Lumens – Coach		\$14.88	
8,000 Lumens – Coach		\$16.78	
Metal Halide			
12,000 Lumens – Contemporary	\$17.73	\$28.99	
107,800 Lumens – Contemporary	\$49.34	\$61.22	
32,000 Lumens – Contemporary	\$23.99	\$35.90	
Incandescent			
1,500 Lumens – Continental Jr.		\$10.64	
6,000 Lumens – Continental Jr.		\$15.16	
Victorian/London Bases			
Old Town		\$3.88	
Chesapeake		\$4.10	
Victorian/London (Westchester/Norfolk)		\$3.97	

Poles	
10' Smooth Pole	\$11.59
10' Fluted Pole	\$13.84

SPECIAL CONTRACT

Energy Charge per kWh	\$ 0.03228
Demand Charge per kW	\$ 17.62

GAS SERVICE RATES

RATE RGS
RESIDENTIAL GAS SERVICE

Basic Service Charge per Day	\$ 0.65
Distribution Charge per Ccf	\$ 0.51809

RATE VFD
VOLUNTEER FIRE DEPARTMENT SERVICE

Basic Service Charge per Day	\$ 0.65
Distribution Charge per Ccf	\$ 0.51809

RATE CGS
FIRM COMMERCIAL GAS SERVICE

Basic Service Charge per Day	
Meters < 5000 cf/hr	\$ 2.30
Meters >= 5000 cf/hr	\$ 11.00
Distribution Charge per Ccf	
On Peak	\$ 0.38950
Off Peak	\$ 0.33950

Rider TS-2 Gas Transportation Service

Administrative Charge per Month	\$ 550.00
Basic Service Charge per Day	
Meters < 5000 cf/hr	\$ 2.30
Meters >= 5000 cf/hr	\$ 11.00
Distribution Charge per Mcf	\$ 3.8950

RATE IGS
FIRM INDUSTRIAL GAS SERVICE

Basic Service Charge per Day	
Meters < 5000 cf/hr	\$ 5.42
Meters >= 5000 cf/hr	\$ 24.64
Distribution Charge per Ccf	
On Peak	\$ 0.27023
Off Peak	\$ 0.22023

Rider TS-2 Gas Transportation Service

Administrative Charge per Month	\$ 550.00
Basic Service Charge per Day	
Meters < 5000 cf/hr	\$ 5.42
Meters >= 5000 cf/hr	\$ 24.64
Distribution Charge per Mcf	\$ 2.7023

RATE AAGS
AS-AVAILABLE GAS SERVICE

Basic Service Charge per month	\$ 630.00
Distribution Charge per Mcf	\$ 1.9228

Rider TS-2 Gas Transportation Service

Administrative Charge per Month	\$ 550.00
Basic Service Charge per Month	\$ 630.00
Distribution Charge per Mcf	\$ 1.9228

RATE SGSS
SUBSTITUTE GAS SALES SERVICE

<u>For commercial customers:</u>	
Customer Charge per Month	\$ 335.00
Demand Charge per Mcf	\$ 7.17
Distribution Charge per Mcf	\$ 0.4106

<u>For industrial customers:</u>	
Customer Charge per Month	\$ 750.00
Demand Charge per Mcf	\$ 10.89
Distribution Charge per Mcf	\$ 0.3100

RATE FT
FIRM TRANSPORTATION SERVICE

Administrative Charge	\$ 550.00
Monthly Basic Service Charge	\$ 750.00
Distribution Charge per Mcf	\$ 0.0456
Demand Charge per Mcf	\$ 7.38

RATE DGGS
DISTRIBUTION GENERATION GAS SERVICE

Basic Service Charge per Day	
Meters < 5000 cf/hr	\$ 165.00
Meters >= 5000 cf/hr	\$ 750.00
Demand Charge per Mcf	\$ 10.89
Distribution Charge per Ccf	\$ 0.03100

Rider TS-2 Gas Transportation Service

Administrative Charge per Month	\$ 550.00
Basic Service Charge per Day	
Meters < 5000 cf/hr	\$ 165.00
Meters >= 5000 cf/hr	\$ 750.00
Distribution Charge per Mcf	
On Peak	\$ 0.3100

RATE LGDS
LOCAL GAS DELIVERY SERVICE

Administrative Charge per Month	\$ 550.00
Basic Service Charge per Month	\$ 750.00
Demand Charge per Mcf	\$ 7.38
Distribution Charge per Mcf	\$ 0.0456

*Honorable Allyson K Sturgeon
Managing Senior Counsel - Regulatory &
LG&E and KU Energy LLC
220 West Main Street
Louisville, KENTUCKY 40202

*Emily W Medlyn
General Attorney
U.S. Army Legal Services Agency Regul
9275 Gunston Road
Fort Belvoir, VIRGINIA 22060

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

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

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

*Honorable Kurt J Boehm
Attorney at Law
Boehm, Kurtz & Lowry
36 East Seventh Street
Suite 1510
Cincinnati, OHIO 45202

*Barry Alan Naum
Spilman Thomas & Battle, PLLC
1100 Brent Creek Blvd., Suite 101
Mechanicsburg, PENNSYLVANIA 17050

*G. Houston Parrish
Labor Law Attorney
Office of the Staff Judge Advocate, B
50 3rd Avenue
Fort Knox, KENTUCKY 40121

*Honorable Kendrick R Riggs
Attorney at Law
Stoll Keenon Ogden, PLLC
2000 PNC Plaza
500 W Jefferson Street
Louisville, KENTUCKY 40202-2828

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

*Jeff Derouen
200 S. 5th St. Suite 200 N
Louisville, KENTUCKY 40202

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

*Carrie H Grundmann
Spilman Thomas & Battle, PLLC
110 Oakwood Drive, Suite 500
Winston-Salem, NORTH CAROLINA 27103

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

*Lauren Givhan
200 S. 5th St. Suite 200 N
Louisville, KENTUCKY 40202

*Don C A Parker
Spilman Thomas & Battle, PLLC
1100 Brent Creek Blvd., Suite 101
Mechanicsburg, PENNSYLVANIA 17050

*Jody M Kyler Cohn
Boehm, Kurtz & Lowry
36 East Seventh Street
Suite 1510
Cincinnati, OHIO 45202

*Matt Partymiller
President
Kentucky Solar Industries Association
1038 Brentwood Court
Suite B
Lexington, KENTUCKY 40511

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

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

*Matthew Miller
Sierra Club
50 F Street, NW, Eighth Floor
Washington, DISTRICT OF COLUMBIA 20001

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

*Louisville Gas and Electric Company
220 W. Main Street
P. O. Box 32010
Louisville, KY 40232-2010

*Honorable Michael L Kurtz
Attorney at Law
Boehm, Kurtz & Lowry
36 East Seventh Street
Suite 1510
Cincinnati, OHIO 45202

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

*Rick LoveKamp
Kentucky Utilities Company
220 W. Main Street
P. O. Box 32010
Louisville, KY 40202

*Honorable Robert C Moore
Attorney At Law
Stites & Harbison
421 West Main Street
P. O. Box 634
Frankfort, KENTUCKY 40602-0634

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

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

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