

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC TARIFF FILING OF KENTUCKY)	
UTILITIES COMPANY FOR APPROVAL OF A)	CASE NO.
LICENSE AGREEMENT WITH NORTH)	2025-00016
AMERICAN STAINLESS CONCERNING GHENT)	
GENERATING STATION)	

ORDER

On January 21, 2025, Kentucky Utilities Company (KU) requested approval for a parking license agreement (agreement) between KU and North American Stainless (NAS) for the immediate use by NAS of the parking lot immediately South-Southwest of KU's Ghent Power Generating Station (parking area) to use as a lay-down area for construction equipment.¹ On January 23, 2025, the Commission issued an order establishing this proceeding and allowing the agreement to be placed in effect on or after January 24, 2025, pending the final Order in this case.²

In the Commission's Order in Case No. 2002-00029, the Commission found that "[b]ecause of the finite nature and value of these [existing generation] sites, we find that LG&E and KU should seek Commission approval prior to entering into the sale or lease of any land located on an existing generation site."³ Pursuant to KRS 278.030 utilities

¹ License Agreement Filing (filed Jan. 21, 2025) at 1.

² Order (Ky. PSC Jan. 23, 2025) at 2.

³ Case No. 2002-00029, *Application of Louisville Gas and Electric Company and Kentucky Utilities Company for a Certificate of Public Convenience and Necessity for the Acquisition of Two Combustion Turbines* (Ky. PSC June 11, 2002), Order at

may collect fair, just and reasonable rates and that the service it provides must be adequate, efficient and reasonable. Though the agreement does not involve a sale or lease of land, it does involve land use for a period of time at a portion of the Ghent facility.

The proposed agreement would allow NAS to use the parking area for its lay-down area while it is installing a large gantry crane at the NAS melt shop near the town of Ghent.⁴ The agreement indicated that the use of the parking area would expire and be deemed terminated by March 31, 2025.⁵ In exchange for the use of the parking area, NAS paid \$10 to KU. Additionally, the agreement obligated NAS to return the parking area by the March 31, 2025 deadline “in as good or better physical condition than it was on the date of [the] Agreement, including placement and leveling of new gravel, lopping, repair or removal of fencing, renovating highway access, and any other wear and tear associated with NAS’s use of the Parking Area identified by KU in its reasonable discretion for NAS to address.”⁶

Because the agreement between KU and NAS is limited in duration, promotes public interest by assisting NAS in constructing major improvements to its facility, and will have no adverse effect on KU property, the Commission finds the License Agreement Filing should be approved.

IT IS THEREFORE ORDERED that:

1. KU’s License Agreement with NAS concerning the Ghent generating station parking area is approved.

⁴ License Agreement Filing at 2.

⁵ License Agreement Filing at 2.

⁶ License Agreement Filing at 2.

2. Within 30 days of the termination of the Agreement, KU shall file confirmation that the Agreement has been terminated, and that NAS has satisfied all of its obligations under the agreement. KU shall reference this case number and file the confirmation in post-case correspondence.

3. The case is closed and removed from the Commission's docket.

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PUBLIC SERVICE COMMISSION


Chairman


Commissioner


Commissioner

ATTEST:

 *RP*
Executive Director

ENTERED
MAR 25 2025 AH
KENTUCKY PUBLIC
SERVICE COMMISSION

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