

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF LOUISVILLE)	
GAS AND ELECTRIC COMPANY FOR AN)	
ADJUSTMENT OF ITS ELECTRIC AND GAS)	CASE NO.
RATES AND APPROVAL OF CERTAIN)	2025-00114
REGULATORY AND ACCOUNTING)	
TREATMENTS)	

ORDER

This matter arises upon the motion of the Kentuckians for the Commonwealth (KFTC), Kentucky Solar Energy Society (KYSES), and Metropolitan Housing Coalition (MHC) (Joint Movants), timely filed on June 25, 2025, for full intervention. As a basis for their motion, Joint Movants stated that they have a special interest in these proceedings not otherwise adequately represented and that they will present issues or develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings.¹ Joint Movants stated that they will neither complicate nor disrupt proceedings since the discovery, testimony, and witnesses will be jointly offered by the four organizations, who have adopted internal procedures to assure timely decision-making and coordinated participation with one voice in this case.²

¹ Joint Movants' Motion to Intervene (filed June 25, 2025) at 7-8.

² Motion to Intervene at 8-9.

MOTION

KFTC is a non-profit corporation in good standing incorporated in the Commonwealth of Kentucky with its principal office located at 131 North Mill Street, London, Kentucky 40743.³ KFTC pays electric rates to LG&E at its Jefferson County office at 735 Lampton Street, Louisville, Kentucky 40203.⁴ Joint Movants argued that KFTC has a particularized interest and expertise in the impacts of resource decisions by Louisville Gas and Electric Company (LG&E) and Kentucky Utilities Company (KU), (jointly, LG&E/KU), including effects on low-income ratepayer in Jefferson County and Central Kentucky, and across the state.⁵ KFTC's members include ratepayers that bear the costs and risks of utility resource decisions, and have a direct interest in supporting reasoned decision-making by a well-informed regulator by putting forward expertise on supply- and demand-side resource alternatives and evaluation, including from members who participate regularly in the organization's energy justice working groups.⁶

KYSES is a non-profit corporation in good standing, incorporated in the Commonwealth of Kentucky, with its principal office at 215 Oxford Place Louisville 40207.⁷ Joint Movants explained that KYSES is comprised of members who include residential solar energy customers taking service from LG&E and KU in its service territory; solar energy enthusiasts (including potential future solar customers); professionals working in the clean energy field in business, nongovernmental

³ Motion to Intervene at 3.

⁴ Motion to Intervene at 3.

⁵ Motion to Intervene at 9.

⁶ Motion to Intervene at 9.

⁷ Motion to Intervene at 4.

organizations, and academia; and advocates for a transition to a clean energy economy.⁸ Joint Movants argued that KYSES has a particularized interest and expertise in implementation of solar energy and renewables, including rate-making and the effects of rates current net metering-2 (NMS-2) customers, as well as behind-the-meter alternatives to utility-scale projects and KYSES' expertise in renewable energy and energy conservation will advance the development of a complete record and well-informed decision-making, particularly regarding the effects of net metering tariffs on current and prospective solar customers, as well as the relation to other avoided supply-side alternatives.⁹

MHC is a nonprofit, nonpartisan membership organization incorporated under the laws of the Commonwealth of Kentucky in 1989, with an office in Metro Louisville taking service from LG&E, and comprising approximately 300 individual and organizational members.¹⁰ Joint Movants explained that MHC members include representatives of low-income households, private and non-profit housing developers, service providers, financial institutions, labor unions, faith-based and neighborhood groups, and other advocacy groups, advocating with a united voice for fair, safe, and affordable housing in the Metro Louisville area.¹¹

Joint Movants argued that MHC has a particularized interest and expertise in the effects of utility ratemaking on communities and low-income individuals in Louisville.¹²

⁸ Motion to Intervene at 4.

⁹ Motion to Intervene at 9.

¹⁰ Motion to Intervene at 5.

¹¹ Motion to Intervene at 5.

¹² Motion to Intervene at 10.

Joint Movants stated that MHC is committed to intervening in Commission cases that impact ratepayers' electricity needs and rates and it is essential to include all relevant stakeholders in these discussions, especially those who represent the local community, and to ensure they have a voice in these proceedings.¹³ MHC seeks permission to intervene in this rate case specifically to represent those stakeholder interests, particularly low-income ratepayers.¹⁴

LEGAL STANDARD

The Attorney General of the Commonwealth of Kentucky, by and through the Office of Rate Intervention (Attorney General), has the statutory right to intervene in Commission cases pursuant to KRS 367.150(8)(b). The Attorney General was granted intervention by Order dated May 27, 2025. With limited exception, intervention by all others is permissive and within the sole discretion of the Commission.¹⁵

The regulatory standard for permissive intervention, set forth in 807 KAR 5:001, Section 4, is twofold. Commission regulation 807 KAR 5:001, Section 4(11), requires a person to set forth in the motion to intervene either (1) a special interest in the proceeding that is not otherwise adequately represented in the case, or (2) that intervention is likely to present issues or develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings.

¹³ Motion to Intervene at 10.

¹⁴ Motion to Intervene at 10.

¹⁵ KRS 164.2807.

DISCUSSION AND FINDINGS

Based on a review of the pleadings at issue and being otherwise sufficient advised, the Commission finds that the Joint Movants have demonstrated that they are likely to present issues or develop facts that will assist the Commission in considering this matter without unduly complicating or disrupting the proceedings for the reasons discussed below.

KFTC offers decades of experience in addressing the needs of Kentucky's low-income residential customers and its focus on the transition to clean energy will assist the Commission in evaluating LG&E's application comprehensively and efficiently without undue complication. KYSES will assist the Commission in evaluating LG&E's application, specifically when it comes to issues of net-metering and avoided cost calculations. MHC will assist the Commission with developing facts and will bring expertise relating to affordability for low- and fixed- income households. Therefore, the Commission finds that the Joint Movants have demonstrated that they are likely to present issues or develop facts that will assist the Commission in considering this matter without unduly complicating or disrupting the proceedings, which is sufficient because only one prong must be met.

Based on the above, the Commission finds that Joint Movants should be granted full rights of a party in this proceeding. The Commission directs Joint Movants to the Commission's July 22, 2021 Order in Case No. 2020-00085¹⁶ regarding filings with the Commission.

¹⁶ Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC July 22, 2021), Order (in which the Commission ordered that for case filings made on and after March 16, 2020, filers are NOT required to file the original physical copies of the filings required by 807 KAR 5:001, Section 8).

In light of Joint Movants' statement that they will speak as one party, the Commission finds that each of the Joint Movants should file a separate copy of all documents that evidence their individual agreement regarding their joint participation in this matter, whether the agreement is executed by email in a written agreement.

IT IS HEREBY ORDERED that:

1. Joint Movants' motion to intervene is granted.
2. Joint Movants are 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. Joint Movants 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.
4. Joint Movants shall adhere to the procedural schedule set forth in the Commission's June 18, 2025 Order and as amended by subsequent Orders.
5. Pursuant to 807 KAR 5:001, Section 8(9), within seven days of service of this Order, Joint Movants shall file a written statement with the Commission that:
 - a. Certifies that it, or its 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 shall be served.
6. Each of the Joint Movants shall file a separate copy with the Commission of their individual agreement regarding their joint participation in this matter within ten days of entering into the agreement.

PUBLIC SERVICE COMMISSION

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Vice Chairman

Commissioner

ATTEST:

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