

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF KENTUCKY)	
POWER COMPANY FOR (1) A GENERAL)	
ADJUSTMENT OF ITS RATES FOR ELECTRIC)	
SERVICE; (2) APPROVAL OF TARIFFS AND)	CASE NO.
RIDERS; (3) APPROVAL OF CERTAIN)	2025-00257
REGULATORY AND ACCOUNTING)	
TREATMENTS; AND (4) ALL OTHER REQUIRED)	
APPROVALS AND RELIEF)	

ORDER

This matter arises upon the motion of the Kentucky Solar Industries Association, Inc. (KYSEIA), filed September 17, 2025, for full intervention. As a basis for its motion, KYSEIA stated that it has a special interest that is not otherwise adequately represented because KYSEIA promotes the exchange of knowledge for solar energy, advocates on behalf of solar energy constituents and members. KYSEIA represents solar companies that must disseminate information and calculate costs and rates of return based upon Kentucky Power Company's (Kentucky Power's) net metering tariffs, cogeneration and qualifying facility tariffs, and the interconnection of systems.¹ KYSEIA proposes to participate in the proceeding through Matt Partymiller, president of KYSEIA, and Appalshop, Inc. (Appalshop), a Kentucky nonprofit in good standing with the Kentucky

¹ KYSEIA's Motion to Intervene (Motion) (filed Sept. 17, 2025) at 1-2.

Secretary of State and a member of KYSEIA. Appalshop is a Kentucky Power customer receiving electric service under Kentucky Power's Tariff N.M.S.²

LEGAL STANDARD

The only person who has a statutory right to intervene in a Commission case is the Attorney General of the Commonwealth of Kentucky, by and through the Office of Rate Intervention (Attorney General), pursuant to KRS 367.150(8)(b). The Commission granted intervention to the Attorney General on August 13, 2025.³ With limited exception, intervention by all others is permissive and within the sole discretion of the Commission.⁴

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.

DISCUSSION AND FINDINGS

Based on a review of the pleadings at issue and being otherwise sufficient advised, the Commission finds that KYSEIA's 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. KYSEIA will assist the Commission by developing the record regarding net metering and cogeneration tariffs based on its

² Motion at 2.

³ Order (Ky. PSC Aug. 13, 2025).

⁴ *Inter-County Rural Electric Cooperative Corporation v. Public Service Commission of Kentucky*, 407 S.W.2d 127, 130 (Ky. 1966).

knowledge and experience. KYSEIA has previously been permitted to intervene on this basis in net metering and cogeneration tariff cases.⁵ Based on the above, the Commission finds that KYSEIA should be granted full rights of a party in this proceeding. The Commission directs KYSEIA to the Commission's July 22, 2021 Order in Case No. 2020-00085⁶ regarding filings with the Commission.

IT IS HEREBY ORDERED that:

1. KYSEIA's motion to intervene is granted.
2. KYSEIA is 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. KYSEIA 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. KYSEIA shall adhere to the procedural schedule set forth in the Commission's September 11, 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, KYSEIA shall file a written statement with the Commission that:
 - a. Certifies that it, or its agent, possesses the facilities to receive electronic transmissions; and

⁵ Case No. 2023-00404, *Electronic Tariff Filings of Louisville Gas and Electric Company and Kentucky Utilities Company to Revise Purchase Rates for Small Capacity and Large Capacity Cogeneration and Power Production Qualifying Facilities and Net Metering Service-2 Credit Rates* (Ky. PSC Jan. 11, 2024), Order at 2; Case No. 2023-00413, *Electronic Application of Duke Energy Kentucky, Inc. for an Adjustment to Rider NM Rates and for Tariff Approval* (Ky. PSC Jan. 12, 2024), Order at 3.


⁶ 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).

b. Sets forth the electronic mail address to which all electronic notices and messages related to this proceeding shall be served.

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PUBLIC SERVICE COMMISSION


Chairman


Commissioner


Commissioner

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Executive Director



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