

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC INVESTIGATION OF	)	CASE NO.
INTERCONNECTION AND NET METERING	)	2020-00302
GUIDELINES	)	

ORDER

On September 24, 2020, the Commission established this case to investigate its 2009 net metering interconnection guidelines in light of the passage of time since the establishment of the guidelines and to address the Net Metering Act.¹ All jurisdictional electric utilities were made parties to the case.² The Attorney General of the Commonwealth of Kentucky, by and through the Office of Rate Intervention (Attorney General),³ Kentucky Industrial Utility Customers, Inc. (KIUC),⁴ Kentucky Solar Industries Association, Inc. (KYSEIA),⁵ and Mountain Association (MA) and Earth Tools, Inc. (ETI) (jointly, Joint Intervenors)⁶ were granted intervention in this case. On February 16, 2021, the Commission incorporated Case No. 2019-00256⁷ into the proceeding and ordered that the parties should file, within 30 days of the date of this Order, a written brief

¹ Opening Order (Ky. PSC Sept. 24, 2020).

² Opening Order (Ky. PSC Sept. 24, 2020) at 2.

³ Order (Ky. PSC Oct. 13, 2020 at 7:38:09 AM).

⁴ Order (Ky. PSC Oct. 13, 2020 at 7:26:39 AM).

⁵ Order (Ky. PSC Nov. 6, 2020 at 3:01:43 PM).

⁶ Order (Ky. PSC Nov. 6, 2020 at 3:31:30 PM).

⁷ Order (Ky. PSC Feb. 16, 2021); Case No. 2019-00256 *Electronic Consideration of the Implementation of the Net Metering Act*.

discussing current and reasonably anticipated issues and concerns identified by each party regarding net metering interconnection guidelines, and, separately, current and reasonably anticipated concerns regarding Federal Energy Regulatory Commission (FERC) Order No. 2222.⁸ Between February 24, 2021, and March 2, 2021, several parties filed motions for extensions of time to file briefs.⁹ On March 2, 2021, Joint Intervenor filed a response in support of the extension.¹⁰ On March 4, 2021, the Commission granted the request for an extension of time.¹¹ Parties filed their briefs on April 19, 2021.¹² KIUC filed a notice that it elected not to file a brief.¹³

On February 4, 2026, the Commission established a procedural schedule in this case and scheduled an informal conference for February 26, 2026.¹⁴ The Order also established a date for parties to file any supplemental briefings.¹⁵ On March 4, 2026,

⁸ Order (Ky. PSC Feb. 16, 2021).

⁹ Louisville Gas and Electric Company (LG&E), Kentucky Utilities Company (KU), Kentucky Power Company (Kentucky Power), and Duke Energy Kentucky, Inc.'s (Duke Kentucky) (Joint Movants) Joint Motion for Extension of Time of File Brief (filed Feb. 24, 2021); East Kentucky Power Cooperative, Inc. (EKPC) and its sixteen Owner Member Cooperatives' Joint Motion for an Extension of Time to File Brief (filed Mar. 1, 2021); Big Rivers Electric Corporation (BREC) on behalf of itself and its three member distribution cooperatives, Jackson Purchase Energy Corporation (Jackson Purchase Energy), Kenergy Corp. (Kenergy), and Meade County Rural Energy Corporation (Meade County RECC) Motion for an Extension of Time to File Brief (filed Mar. 2, 2021).

¹⁰ Joint Intervenor's Response in Support of Motions of EKPC, BREC, and LG&E/KU (filed Mar. 2, 2021).

¹¹ Order (Ky. PSC March 4, 2021).

¹² EKPC and its Owner-Members' Brief (filed Apr. 19, 2021); Attorney General's Brief (filed Apr. 19, 2021); Brief of Kentucky Power Company Regarding Interconnection Guidelines and FERC Order 2222 (filed Apr. 19, 2021); Brief of LG&E/KU (filed Apr. 19, 2021); Joint Brief of BREC and its Members (filed Apr. 19, 2021); Brief of Duke Kentucky (filed Apr. 19, 2021); KYSEIA's Written Brief (filed Apr. 19, 2021); Brief of Joint Intervenor (filed April 19, 2021).

¹³ KIUC's Notice (filed Apr. 19, 2021).

¹⁴ Order (Ky. PSC Feb. 4, 2026)

¹⁵ Order (Ky. PSC Feb. 4, 2026).

Kentucky Power filed a motion to amend the procedural schedule.¹⁶ On March 6, 2026, EKPC filed a response to Kentucky Power's motion and requested responsive briefs.¹⁷ On March 9, 2026, Duke Kentucky also filed a response.¹⁸ On March 12, 2026, the Commission granted Kentucky Power and EKPC's requests.¹⁹ On April 1, 2026, BREC filed a supplemental brief on behalf of BREC and its member-owners.²⁰ On April 6, 2026, parties filed supplemental briefs.²¹ On April 7, 2026, Commission Staff filed a memorandum for the February 26, 2026 informal conference.²² On April 20, 2026, parties filed their responsive comments.²³ On April 23 and 24, 2026, parties filed a notice of decision to submit on the written record.²⁴ On June 30, 2026, the Commisision schedule an informal conference for August 11, 2026, and issued a request for information to all

¹⁶ Kentucky Power's Motion to Amend Procedural Schedule (filed Mar. 4, 2026).

¹⁷ EKPC's Response to Motion to Amend Procedural Schedule (filed Mar. 6, 2026).

¹⁸ Duke Kentucky's Response to Motion to Amend Procedural Schedule (filed Mar. 9, 2026).

¹⁹ Order (Ky. PSC March 12, 2026).

²⁰ Joint Supplemental Brief of BREC and its Members (filed Apr. 1, 2026).

²¹ Attorney General's Supplemental Brief (filed Apr. 6, 2026); Supplemental Brief of Kentucky Power (filed Apr. 6, 2026); LG&E/KU's Supplemental Comments (filed Apr. 6, 2026); KYSEIA's Supplemental Brief (filed Apr. 6, 2026); EKPC's Supplemental Brief (filed Apr. 6, 2026); Duke Kentucky's Supplemental Brief (filed Apr. 6, 2026); Supplemental Brief of Joint Intervenors (filed Apr. 6, 2026);

²² Notice of Informal Conference Memorandum and Attendance List (filed Apr. 7, 2026).

²³ LG&E/KU's Responsive Comments and Request for Case to be Decided on the Written Record (filed Apr. 20, 2026); Duke Kentucky's Responsive Supplemental Brief (filed Apr. 20, 2026); Reply Brief of Kentucky Power (filed Apr. 20, 2026); BREC's and its Members Response Brief (filed Apr. 20, 2026); Supplemental Response Brief of Joint Intervenors (filed Apr. 20, 2026); EKPC's Response to Supplemental Briefs (filed Apr. 20, 2026);

²⁴ BREC's Request for Decision on Existing Record (filed Apr. 23, 2026); KYSEIA Statements Regarding Public Hearing and Decision Based Upon the Written Record (filed Apr. 23, 2026); Duke Kentucky's Request for Matter to be Submitted for Decision (filed April 23, 2026); Joint Intervenors' Notice Regarding Public Hearing and Decision Based Upon the Written Record (filed Apr. 24, 2026); EKPC's Motion to Submit (filed Apr. 24, 2026).

jurisdictional electric utilities.²⁵ On July 9, 2026, Commission Staff issued a request for information to KYSEIA.²⁶ On July 14, 2026, all jurisdictional electric utilities filed responses to the request for information. On July 21, 2026, KYSEIA filed its response to Staff's First Request and motion for deviation.²⁷ On July 21, 2026, Joint Intervenors filed their list of issues for the August 11, 2026 informal conference.²⁸ On July 28, 2026, other parties filed their respective lists of issues.²⁹ On July 31, 2026, Commission Staff filed its agenda for the August 11, 2026 informal conference.³⁰ On August 18, 2026, Commission Staff filed its notice of informal conference memorandum and attendance list for the August 11, 2026 informal conference.³¹ On August 21, 2026, the Commission granted KYSEIA's motion for deviation.³²

BACKGROUND

The Commission established Administrative Case No. 2008-00169 on May 30, 2008, to establish interconnection and net metering³³ guidelines in accordance with

²⁵ Order (Ky. PSC June 30, 2026).

²⁶ Commission Staff's First Request for Information to KYSEIA (Staff's First Request) (filed July 9, 2026).

²⁷ KYSEIA's Response to Staff's First Request and Motion for Deviation (filed July 21, 2026).

²⁸ Joint Intervenor's List of Issues for Informal Conference (filed July 21, 2026).

²⁹ KYSEIA's List of Issues (filed July 28, 2026); LG&E/KU's Issues for August 11, 2026 Informal Conference (filed July 28, 2026); Kentucky Power's List of Proposed Issues for Informal Conference (filed July 28, 2026); KIUC's Issues List (filed July 28, 2026); Duke Kentucky's List of Issues for August 22, 2026 Informal Conference (filed July 28, 2026); BREC's Response to June 30, 2026 Order (filed July 28, 2026); EKPC's Statement of Issues for Informal Conference (filed July 28, 2026);

³⁰ Commission Staff's Notice of Informal Conference Agenda (filed July 31, 2026).

³¹ Notice of Informal Conference Memorandum and Attendance List (filed Aug. 18, 2026).

³² Order (Ky. PSC Aug. 21, 2026).

³³ Prior to January 1, 2020, "Net metering" defined as "measuring the difference between the electricity supplied by the electric grid and the electricity generated by an eligible customer-generator that is fed back to the electric grid over a billing period." KRS 278.465(4).

Senate Bill 83, which amended the existing statutory requirements for net metering including the establishment of interconnection and net metering guidelines by January 11, 2008.³⁴ The Commission undertook a cooperative process to work with stakeholders to come to a consensus.³⁵ During that case, Commission Staff held a number of informal conferences to discuss the issues.³⁶ Utilities and intervening parties also engaged in additional settlement discussions.³⁷ Those negotiations resulted in the production of draft interconnection and net metering guidelines.³⁸ Commission Staff made a number of additional revisions that were sent to the parties for comment and held a final informal conference.³⁹ The Commission ultimately approved the revised guidelines with one minor revision.⁴⁰

On March 26, 2019, the Governor signed Senate Bill (SB) 100, An Act Related to Net Metering (Net Metering Act), into law.⁴¹ Effective January 1, 2020, SB 100 revised KRS 278.465(4) to define net metering “as the difference between the (a) dollar value of all electricity generated by an eligible customer-generator that is fed back to the electric grid over a billing period and priced as prescribed in KRS 278.466; and (b) dollar value of

³⁴ Case No. 2008-00169, *Development of Guidelines for Interconnection and Net Metering for Certain Generators with Capacity up to Thirty Kilowatts* (Ky. PSC May 30, 2008), Order.

³⁵ Case No. 2008-00169, May 30, 2008 Order at 3.

³⁶ Case No. 2008-00169, May 30, 2008 Order at 3.

³⁷ Case No. 2008-00169, May 30, 2008 Order at 3.

³⁸ Case No. 2008-00169, May 30, 2008 Order at 3.

³⁹ Case No. 2008-00169, May 30, 2008 Order at 3-4.

⁴⁰ Case No. 2008-00169, Jan. 8, 2009 Order. The minor revision was to remove the word tariff from the title.

⁴¹ 19 RS SB 100.

all electricity consumed by the eligible customer-generator over the same billing period and priced using the applicable tariff of the retail electric supplier.”⁴²

On July 30, 2019, the Commission initiated Case No. 2019-00256.⁴³ The purpose of that proceeding was to invite comments from interested utilities and stakeholders, as well as the general public, in order to develop a record upon which the Commission can consider the issues of implementation of the Net Metering Act.⁴⁴

DISCUSSION AND FINDINGS

As an initial matter, the Commission clarifies that this proceeding considers the interconnection guidelines for not only net-metering customers but the interconnection guidelines for all behind-the-meter customers, including net-metering and qualifying facility (QF) customers connecting to a utility’s distribution grid. The 2009 guidelines stated from the outset,

[t]hese guidelines are intended to facilitate the use of net metering and interconnection of renewable energy generators by establishing interconnection and net metering guidelines for all retail electric suppliers operating in the Commonwealth, incorporating all applicable safety and power quality standards established by the National Electrical Code (NEC), Institute of Electrical and Electronics Engineers (IEEE) and accredited testing laboratories such as Underwriters Laboratories (UL).⁴⁵

The current approved guidelines not only contemplated net-metering customers, but other renewable energy generators, including other behind-the-meter distribution connected

⁴² 19 RS SB 100.

⁴³ Case No. 2019-00256, *Electronic Consideration of the Implementation of the Net Metering Act*.

⁴⁴ Case No. 2019-00256, July 30, 2019 Order.

⁴⁵ Case No. 2008-00169, Jan. 8, 2009 Order, Appendix A.

customers. Including all behind-the-meter customers in the scope of this proceeding ensures that these customers are able to follow an established set of guidelines to safely interconnect to the grid.

The Commission also, on its own motion, hereby schedules an informal conference on September 15, 2026, at 10 a.m. Eastern Daylight Time to be held at the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky. Parties may appear in person or virtually. However, each party should designate one person to be the primary speaker for the party and appear in-person. Commission Staff will contact participants by electronic mail to provide details for joining the conference by video link. The primary purpose of the informal conference is for the parties to further discuss their positions on the scope of the proceeding. Parties should provide an attendance list that delineates the designated speaker, in-person attendees, and virtual attendees at least 48 hours prior to the informal conference.

To assist Commission Staff in preparing for the informal conference and informing the agenda, the Commission finds that the utilities should respond to Commission Staff's Second Request for Information attached to this scheduling Order as Appendix A and any additional requests for information proposed by Commission Staff as set forth in those requests.

IT IS THEREFORE ORDERED that:

1. An informal conference is scheduled on September 15, 2026, at 10 a.m. Eastern Daylight Time at the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky.

2. Commission Staff will contact participants by electronic mail to provide details for joining the conference by video link.

3. The agenda for the informal conference is attached as Appendix B.

4. Parties should provide an attendance list that delineates the designated speakers, in-person attendees, and virtual attendees 48 hours prior to the informal conference.

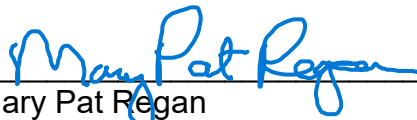
5. All electric utilities shall respond to the Commission Staff's Request for Information, attached to this Order as Appendix A, and shall respond to any additional requests for information propounded by Commission Staff as directed in those requests.

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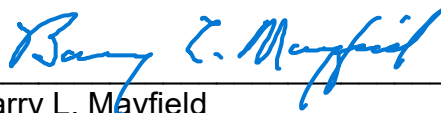
Entered on this 1st day of September, 2026.

PUBLIC SERVICE COMMISSION



Angie Hatton
Chair

Mary Pat Regan
Vice Chair

Andrew W. Wood
Commissioner

Barry L. Mayfield
Commissioner

ATTEST:



Justin McNeil
Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION IN CASE NO. 2020-00302 DATED SEP 01 2026

COMMISSION STAFF'S SECOND REQUEST FOR INFORMATION TO UTILITIES

Each electric utility, pursuant to 807 KAR 5:001, shall file with the Commission an electronic version of the following information. The information requested is due on September 14, 2026. The Commission directs each electric utility to the Commission's July 22, 2021 Order in Case No. 2020-00085⁴⁶ regarding filings with the Commission. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked.

Each response shall include the question to which the response is made and shall include the name of the witness responsible for responding to the questions related to the information provided. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or the person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

Each electric utility shall make timely amendment to any prior response if the electric utility obtains information that indicates the response was incorrect or incomplete

⁴⁶ 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).

when made or, though correct or complete when made, is now incorrect or incomplete in any material respect.

For any request to which an electric utility fails or refuses to furnish all or part of the requested information, the electric utility shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

Careful attention shall be given to copied and scanned material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request. When applicable, the requested information shall be separately provided for total company operations and jurisdictional operations. When filing a paper containing personal information, each electric utility shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read.

1. Refer to Commission Staff's First Request for Information, Item 1c.
 - a. Explain how the utility calculated the percentage of cumulative capacity of the utility's single hour peak load during calendar year 2025.
 - b. Provide a breakdown of the calculation and any supporting calculations or documents in Excel spreadsheet format with all formulas, rows, and columns unprotected and fully accessible.

APPENDIX B

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION IN CASE NO. 2020-00302 DATED SEP 01 2026

NOTICE OF INFORMAL CONFERENCE AGENDA

The following is the agenda for the informal conference to be held both virtually and at the offices of the Commission, 211 Sower Boulevard, Frankfort, Kentucky 40601, on September 15, 2026, at 10 a.m. Eastern Daylight Time. During the informal conference, each topic will be discussed in the order presented below. Each party will have the ability to make comments involving whether the topic should be included in the scope of the proceeding through its designated person(s). To the extent possible, parties are encouraged to meet in advance of the informal conference to identify areas of common ground and present any shared positions at the informal conference.

1. Parties should be prepared to discuss whether the following topics should be included in the scope:

a. Application Processing. Parties to discuss what items are appropriate for the scope of application processing including: (1) timelines; (2) fee structures; (3) transparency in process; (4) form availability; (5) communication between applicant and utility; (6) notification requirements in each stage; and (7) documentation required.

b. Reliability. Parties to discuss whether the scope of the proceeding should include addressing reliability concerns, such as the impact of large customer generation going offline.

c. Metering Requirements. Parties to discuss whether updates including access rights of utilities and customers for metering installation, such as production metering or AMI, who bears the cost, meter collars, should be included in the scope.

d. Utility Access.

e. Definitions.

f. Timeline and Implementation of IEEE-1547-2018.

g. Updated Safety Standards.

h. Equipment Modification.

i. Availability for Energy Storage.

j. One Percent Cap Calculation.

k. Dispute Resolution.

l. FERC Order 2222.

m. Net-Metering Rates.

2. Procedural Next Steps and Scope of the Proceeding. Parties to discuss their recommendations for timely processing of the case. Parties to discuss how often they think that the interconnection guidelines should be updated and whether additional flexibility is needed to update between cases.

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