

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC MONITORING OF LOUISVILLE)	CASE NO.
GAS & ELECTRIC COMPANY AND KENTUCKY)	2025-00313
UTILITIES COMPANY'S MILL CREEK 6 UNIT)	

ORDER

On December 4, 2025, the Commission issued an Order opening this monitoring case (opening Order) as set forth in the final Order in Case No. 2025-00045.¹ As part of the final Order, the Commission stated, in relevant part:

[Louisville Gas & Electric Company and Kentucky Utilities Company] LG&E/KU shall provide semi-annual in-person construction, economic development, and load forecast updates to the Commission beginning in the second quarter of 2026 and ending in the second quarter of 2032 in monitoring Case No. 2025-00313.²

...

... [the Commission] finds that a monitoring case should be established, Case No. 2025-00313. This case will become the repository of all filings related to Mill Creek 6 monitoring. The parties in this case will be granted intervention in the monitoring case, should they choose to request intervention, in that proceeding, and the separate case will allow the Commission the opportunity to provide rigorous oversight of the project.³

¹ Case No. 2025-00045, *Electronic Application of Kentucky Utilities Company and Louisville Gas and Electric Company for Certificates of Public Convenience and Necessity and Site Compatibility Certificates* (Ky. PSC Oct. 28, 2025), Order at 98.

² Case No. 2025-00045, Oct. 28, 2025 Order at 168-169, ordering paragraph 20.

³ Case No. 2025-00045, Oct. 28, 2025 Order at 98.

The opening Order contained the language that “[a]ny party from Case No. 2025-00045 wishing to participate in this matter shall file a notice of participation as well as have an attorney file an entry of appearance with 30 days of receipt of the opening Order.”⁴ In addition, it set forth a deadline for intervention of any other person(s).

The Attorney General of the Commonwealth of Kentucky, by and through the Office of Rate Intervention (Attorney General) filed for intervention⁵ and an Order granting that motion was entered on December 8, 2025. Southern Renewable Energy Association (SREA) filed a motion to intervene on December 5, 2025.⁶ In addition, the following parties filed notices of participation:

- Kentucky Industrial Utilities Customers (KIUC) – Filed a notice of representation and desire to participate in the monitoring case on December 5, 2025;⁷
- Louisville/Jefferson County Metro Government (Louisville Metro)– Filed a notice of representation and desire to participate on December 19, 2025;⁸
- Sierra Club – File a notice of representation and desire to participate on December 22, 2025;⁹
- Kentucky Coal Association (KCA) – Filed a notice of representation and desire to participate on December 23, 2025;¹⁰ and
- Joint Intervenors (Kentucky Solar Energy Society, Metropolitan Housing Coalition and Mountain Association) – Filed a notice of representation and desire to participate on January 2, 2026.¹¹

⁴ Order (Ky. PSC Dec. 4, 2025) at 7.

⁵ Attorney General’s Motion to Intervene (filed Dec. 5, 2025).

⁶ SREA’s Motion to Intervene (filed Dec. 5, 2025).

⁷ KIUC’s Notice of Representation (filed Dec., 2025).

⁸ Louisville Metro’s Notice of Representation (filed Dec. 19, 2025).

⁹ Sierra Club’s Notice of Representation (filed Dec. 22, 2025).

¹⁰ KCA’s Notice of Representation (filed Dec. 23, 2025).

¹¹ Joint Intervenors’ Notice of Representation (filed Jan. 2, 2026).

On January 2, 2026, LG&E/KU filed a notice proposing that the first semi-annual in-person update be held on April 26, 2026, at 9 a.m. Eastern Daylight Time.¹²

LEGAL STANDARD

The Attorney General has the statutory right to intervene in Commission cases pursuant to KRS 367.150(8)(b). With limited exception, intervention by all others is permissive and within the sole discretion of the Commission.¹³

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

The Commission's opening Order in this case allowed parties who were granted intervention in Case No. 2025-00045 to only file notices of their intent to participate in this proceeding because the subject matter at issue here is directly based on the Commission's final Order in Case No. 2025-00045. SREA's motion requesting intervention satisfies the requirements set forth in the opening Order because its request for intervention clearly demonstrates its intent to participate and the motion was filed by an attorney licensed to practice law in Kentucky. Therefore, the Commission grants SREA's motion to intervene and finds SREA should be granted full rights of a party in this

¹² LG&E/KU's proposed date for first semi-annual update meeting (filed Jan. 2, 2026).

¹³ KRS 164.2807.

proceeding. Additionally, based on the Commission's opening Order in this case, it recognizes the notices of representation filed by KIUC, Louisville Metro, Sierra Club, KCA, and Joint Intervenors and finds that they should be granted intervention and made parties in this case. All participants must certify their compliance with 807 KAR 5:001, Section 8(9) as directed in Ordering Paragraph 4 below.

The Commission directs all parties granted permission to intervene in this case to the Commission's July 22, 2021 Order in Case No. 2020-00085¹⁴ regarding filings with the Commission.

In addition, the Commission accepts LG&E/KU's proposed date for the first semi-annual in-person update in this matter of April 21, 2026, at 9.a.m. Eastern Daylight Time. However, the Commission is concerned that a non-attorney for LG&E/KU is filing what equates to a motion and unverified information into the record of this proceeding. The Commission reminds the parties that all motions or information in that docket should be made in accordance with 807 KAR 5:001. Two weeks prior to the in-person meeting, the Commission directs Commission Staff to draft an agenda and file it into the record prior to the meeting in addition to filing a memorandum into the record after the update.

IT IS HEREBY ORDERED that:

1. SREA's motion to intervene is granted.
2. SREA 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.

¹⁴ 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).

3. KIUC, Louisville Metro, Sierra Club, KCA, and Joint Intervenors notices to participate are recognized and the parties 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.

4. Pursuant to 807 KAR 5:001, Section 8(9), within seven days of service of this Order, SREA, KIUC, KCA, Louisville Metro, Joint Intervenors, and Sierra Club 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.

5. The first semi-annual in person update shall be held at the offices of the Commission, 211 Sower Blvd., Frankfort, KY 40601 on April 21, 2026, at 9 a.m. Eastern Daylight Time.

6. Commission Staff shall file an agenda into the record two weeks prior to the in-person update.

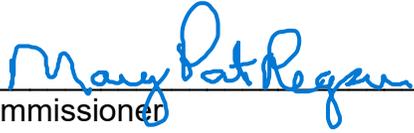
PUBLIC SERVICE COMMISSION



Chairman



Commissioner



Commissioner

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