

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC JOINT APPLICATION OF	)	
KENTUCKY UTILITIES COMPANY AND	)	CASE NO.
LOUISVILLE GAS AND ELECTRIC COMPANY	)	2026-00077
FOR APPROVAL OF MERGER	)	

ORDER

This matter arises upon the motion of the Louisville/Jefferson County Metro Government (Louisville Metro) and Lexington-Fayette Urban County Government (LFUCG) (collectively, Joint Movants or Louisville Metro/LFUCG) filed on April 15, 2026, for full intervention.

Joint Movants stated that they will present issues and develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceeding.<sup>1</sup> In addition, Joint Movants further stated that existing parties to the proceeding do not adequately represent Joint Movants' respective interests.<sup>2</sup>

Joint Movants stated that Louisville Metro is a consolidated local government established under KRS Chapter 67C.<sup>3</sup> The Joint Motion noted that LFUCG is an urban county government established under KRS Chapter 67A.<sup>4</sup> According to the motion, both Louisville Metro and LFUCG pay over \$10 million annually to Louisville Gas and Electric

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<sup>1</sup> Joint Motion to Intervene (Joint Motion) (filed Apr. 15, 2026) at 2-3.

<sup>2</sup> Joint Motion at 2-4.

<sup>3</sup> Joint Motion at 1.

<sup>4</sup> Joint Motion at 1.

Company (LG&E) and Kentucky Utilities Company (KU) (collectively, LG&E/KU) for electrical service.<sup>5</sup> The motion noted that Louisville Metro is the biggest customer of LG&E's Outdoor Lighting classification and LFUCG is KU's largest Outdoor Lighting classification customer.<sup>6</sup>

Joint Movants stated that, if granted intervention, they intended to develop facts and address issues including the following: 1) how LG&E/KU will maintain separate rate districts if the merger is approved, 2) the proposed financial benefits and efficiencies of the merger, 3) the effect of unifying reporting for the fuel adjustment clause (FAC) and off-system sales (OSS) adjustment clause will have on rates and 4) the effect on franchises.<sup>7</sup> The Joint Movants stated that they would participate jointly while not unduly complicating the proceedings.<sup>8</sup>

#### 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 has been granted intervention in this case.<sup>9</sup> With limited exception, intervention by all others is permissive and within the sole discretion of the Commission.<sup>10</sup>

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<sup>5</sup> Joint Motion at 1.

<sup>6</sup> Joint Motion at 2.

<sup>7</sup> Joint Motion at 3-4.

<sup>8</sup> Joint Motion at 3-4.

<sup>9</sup> Order, Mar. 30, 2026.

<sup>10</sup> KRS 164.2807.

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 sufficiently advised, the Commission finds that 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.

The Commission notes that both movants are the largest cities in Kentucky with unique government structures serving large populations receiving electrical service from LG&E and KU, individually. As noted in the motion, the cities have participated in past cases to assist in developing a comprehensive record<sup>11</sup> before the Commission.

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<sup>11</sup> Joint Motion at 3; citing 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 Mar. 31, 2025), Order; Case No. 2025-00113, *Electronic Application of Kentucky Utilities Company for an Adjustment of Its Electric Rates and Approval of Certain Regulatory And Accounting Treatments* (Ky. PSC Jul. 2, 2025), Order and Case No. 2025-00114, *Electronic Application of Louisville Gas and Electric Company for An Adjustment of Its Electric And Gas Rates and Approval of Certain Regulatory and Accounting Treatments* (Ky. PSC Jul. 2, 2025), Order.

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. 2020-00085<sup>12</sup> regarding filings with the Commission.

Because Joint Movants' stated that they will speak as one party, the Commission finds that Louisville Metro and LFUCG should each file a separate copy of all documents related to their proposed joint participation in this matter. In addition, the Commission would like those agreements to reflect the Joint Movants' plan should diverging interests arise in this matter.

IT IS HEREBY ORDERED that:

1. Louisville Metro/LFUCG's motion to intervene is granted.
2. Louisville Metro/LFUCG 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. Louisville Metro/LFUCG 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. Louisville Metro/LFUCG shall adhere to the procedural schedule set forth in the Commission's April 10, 2026 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, Louisville Metro/LFUCG shall file a written statement with the Commission that:

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<sup>12</sup> 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).

a. Certifies that it, or its agent, possesses the facilities to receive electronic transmissions; and

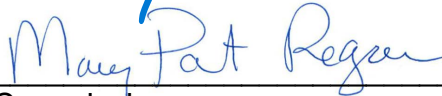
b. Sets forth the electronic mail address to which all electronic notices and messages related to this proceeding shall be served.

6. Each of the Louisville Metro/LFUCG shall file a separate copy with the Commission of their individual agreement regarding their joint participation in this matter as set forth in this Order within ten days.

Entered on this 24th day of April, 2026.

PUBLIC SERVICE COMMISSION

  
\_\_\_\_\_  
Chair

  
\_\_\_\_\_  
Commissioner

  
\_\_\_\_\_  
Commissioner

ATTEST:

  
\_\_\_\_\_  
Executive Director 

## Service List for 2026-00077

- \* Angela M Goad  
Assistant Attorney General  
Office of the Attorney General Office of Rate Intervention  
700 Capitol Avenue  
Suite 20  
Frankfort, KY 40601-8204
  
- \* Honorable Allyson K Sturgeon  
Vice President and Deputy General Counsel-Regulatory and PPL  
LG&E and KU Energy LLC  
220 West Main Street  
Louisville, KY 40202
  
- \* Honorable W. Duncan Crosby III  
Attorney at Law  
Stoll Keenon Ogden, PLLC  
2000 PNC Plaza  
500 W Jefferson Street  
Louisville, KY 40202-2828
  
- \* James W Gardner  
Sturgill, Turner, Barker & Moloney, PLLC  
333 West Vine Street  
Suite 1400  
Lexington, KY 40507
  
- \* Jody Kyler Cohn  
Boehm, Kurtz & Lowry  
425 Walnut Street  
Suite 2400  
Cincinnati, OH 45202
  
- \* John Horne  
Office of the Attorney General Office of Rate Intervention  
700 Capitol Avenue  
Suite 20  
Frankfort, KY 40601-8204
  
- \* JEB Pinney  
Sturgill, Turner, Barker & Moloney, PLLC  
333 West Vine Street  
Suite 1400  
Lexington, KY 40507

\* Denotes served by Email

\* Honorable Lindsey W Ingram, III  
Attorney at Law  
STOLL KEENON OGDEN PLLC  
300 West Vine Street  
Suite 2100  
Lexington, KY 40507-1801

\* Lawrence W Cook  
Assistant Attorney General  
Office of the Attorney General Office of Rate Intervention  
700 Capitol Avenue  
Suite 20  
Frankfort, KY 40601-8204

\* Michael West  
Office of the Attorney General Office of Rate Intervention  
700 Capitol Avenue  
Suite 20  
Frankfort, KY 40601-8204

\* Honorable Michael L Kurtz  
Attorney at Law  
Boehm, Kurtz & Lowry  
425 Walnut Street  
Suite 2400  
Cincinnati, OH 45202

\* Monica Braun  
STOLL KEENON OGDEN PLLC  
300 West Vine Street  
Suite 2100  
Lexington, KY 40507-1801

\* Rick E Lovekamp  
Manager - Regulatory Affairs  
LG&E and KU Energy LLC  
220 West Main Street  
Louisville, KY 40202

\* Robert Conroy  
Vice President, State Regulation and Rates  
LG&E and KU Energy LLC  
220 West Main Street  
Louisville, KY 40202

\* Rebecca C. Price  
Sturgill, Turner, Barker & Moloney  
155 East Main Street  
Lexington, KY 40507

\* Kentucky Utilities Company  
220 W. Main Street  
P. O. Box 32010  
Louisville, KY 40232-2010

\* Louisville Gas and Electric Company  
820 West Broadway  
Louisville, KY 40203

\* Louisville Gas and Electric Company  
820 West Broadway  
Louisville, KY 40203

\* Sara Judd  
Senior Corporate Attorney  
LG&E and KU Energy LLC  
220 West Main Street  
Louisville, KY 40202

\* Toland Lacy  
Office of the Attorney General  
700 Capital Avenue  
Frankfort, KY 40601