COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC 2026 INTEGRATED RESOURCE PLAN OF BIG RIVERS ELECTRIC CORPORATION	)))	CASE NO. 2026-00268

O R D E R

This matter arises upon the motion of Kentuckians For The Commonwealth (KFTC) and Kentucky Resources Council, Inc. (KRC) (collectively, Joint Movants) filed October 27, 2026, for full intervention.

As a basis for the joint motion, 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. Joint Movants further stated that existing parties to the proceeding do not adequately represent Joint Movants' respective interests. Joint Movants further stated the following:

KFTC has more than 12,000 members in Kentucky, including in BREC's service territory, and assists low-income residential ratepayers by influencing policies regarding energy efficiency, demand-side management, and clean energy through participation in rate cases, certificate of public convenience and necessity cases, and Integrated resource plan (IRP) cases.[1] More specifically, Joint Movants stated that KFTC has a particularized interest and expertise in the affordability of electric and natural gas utility

[1] Joint Motion for KFTC and KRC for Full Intervention as Joint Intervenors (filed Oct. 27, 2026) (Motion) at unnumbered PDF page 3.

rates and service generally, including the effects of resource planning on low-income ratepayer-members in BREC's member-owners' territory.[2]

KRC assists low-income members, organizations, and communities in BREC's service territory with environmental and energy issues.[3] Joint Movants indicated that KRC has a particularized interest and expertise in IRP resource planning issues, including data-center load service, the retirement and continued operation of coal-fired and gas-fired generation, the evaluation of new natural gas combined-cycle capacity, renewable energy deployment, and demand-side resource planning.[4]

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 filed a motion to intervene in this case and was granted by the September 29, 2026 Order.[5] With limited exception, intervention by all others is permissive and within the sole discretion of the Commission.[6]

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

[2] Motion at unnumbered PDF page 6.

[3] Motion at unnumbered PDF page 4.

[4] Motion at unnumbered PDF page 6.

[5] Attorney General's Motion to Intervene (filed Sept. 25, 2026) and Order (Ky. PSC Sept. 29, 2026).

[6] KRS 164.2807.

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. Joint Movants have previously done so in other cases, including IRP cases.[7]

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. 2020-00085[8] regarding filings with the Commission.

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.

[7] *See* Case No 2023-00310, *Electronic 2023 Integrated Resource Plan of Big Rivers Electric Corporation* (Ky. PSC Dec. 5, 2023), Order; Case No. 2022-00098, *Electronic 2022 Integrated Resource Plan of East Kentucky Power Cooperative, Inc.* (Ky. PSC June 24, 2022), Order; Case No. 2021-00393, *Electronic 2021 Joint Integrated Resource Plan of Louisville Gas and Electric Company and Kentucky Utilities Company* (Ky. PSC Jan. 11, 2022), Order.

[8] 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).

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 October 16, 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, 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.

Entered on this 19th day of November, 2026.

PUBLIC SERVICE COMMISSION

Angie Hatton
Chair

Mary Pat Regan
Vice Chair

Andrew W. Wood
Commissioner

Barry L. Mayfield
Commissioner

ATTEST:

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