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 Sierra Club filed October 30, 2026, for full intervention. As a basis for the joint motion, Sierra Club stated that it will present issues and develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceeding. Sierra Club further stated that existing parties to the proceeding do not adequately represent Sierra Club's interests.

Sierra Club further stated that it has over 4,900 members in Kentucky, including members in BREC's service territory. Sierra Club stated that its members are directly impacted by BREC's facilities economic, environmental, and health impacts and seeks to ensure application of least-cost means of meeting customer energy and reliability needs while also avoiding unnecessary pollution.[1]

Sierra Club also asserted that it has the requisite knowledge and expertise to help the Commission analyze environmental compliance costs and options, the economic and environmental risks associated with continued reliance on fossil fuel-fired generation, as

[1] Sierra Club's Motion to Intervene (filed Oct. 30, 2026) (Motion) at 3.

well as the potential benefits of meeting energy and capacity needs with additional affordable, renewable energy generation or storage capacity.[2]

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.[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 sufficiently advised, the Commission finds that Sierra Club has demonstrated that they are likely to present issues or develop facts that will assist the Commission in considering this matter

[2] Motion at 10.

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

[4] KRS 164.2807.

without unduly complicating or disrupting the proceedings for the reasons discussed below. Sierra Club has previously done so in other cases, including IRP cases.[5]

Based on the above, the Commission finds that Sierra Club should be granted full rights of a party in this proceeding. The Commission directs Sierra Club to the Commission's July 22, 2021 Order in Case No. 2020-00085[6] regarding filings with the Commission.

IT IS HEREBY ORDERED that:

1. Sierra Club's motion to intervene is granted.

2. Sierra Club 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. Sierra Club 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. Sierra Club 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, Sierra Club shall file a written statement with the Commission that:

[5] *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.

[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).

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.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

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:

Justin McNeil
Executive Director

Service List for Case 2026-00268

* Angela M Goad
Assistant Attorney General
Office of the Attorney General Office of Rate Intervention
700 Capitol Avenue
Suite 20
Frankfort, KY 40601-8204

* Ashley Wilmes
Kentucky Resources Council, Inc.
Post Office Box 1070
Frankfort, KY 40602

* Byron Gary
Kentucky Resources Council, Inc.
Post Office Box 1070
Frankfort, KY 40602

* Thomas J FitzGerald
Counsel & Director
Kentucky Resources Council, Inc.
Post Office Box 1070
Frankfort, KY 40602

* Hannah Thompson
Dinsmore & Shohl, LLP
101 South Fifth Street
Suite 2500
Louisville, KY 40202

* Joe F Childers
Joe F. Childers & Associates
300 Lexington Building
201 West Short Street
Lexington, KY 40507

* John Horne
Office of the Attorney General Office of Rate Intervention
700 Capitol Avenue
Suite 20
Frankfort, KY 40601-8204

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

* Denotes served by Email

* Big Rivers Electric Corporation
710 West 2nd Street
P. O. Box 20015
Owensboro, KY 42304

* Savannah Daniels
Big Rivers Electric Corporation
710 West 2nd Street
P. O. Box 20015
Owensboro, KY 42304

* Senthia Santana
Big Rivers Electric Corporation
710 West 2nd Street
P. O. Box 20015
Owensboro, KY 42304

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

* Edward T Depp
Dinsmore & Shohl, LLP
101 South Fifth Street
Suite 2500
Louisville, KY 40202

* Tyson Kamuf
Corporate Attorney
Big Rivers Electric Corporation
710 West 2nd Street
P. O. Box 20015
Owensboro, KY 42304