

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

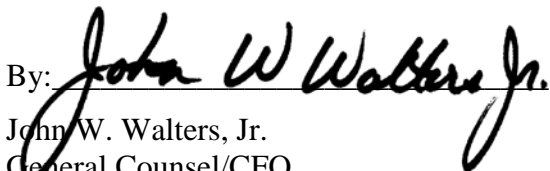
In the Matter of:

INVESTIGATION OF KENTUCKY UTILITIES)	
COMPANY'S AND LOUISVILLE GAS &)	
ELECTRIC COMPANY'S RESPECTIVE NEED)	CASE NO. 2015-00194
FOR AND COST OF MULTIPHASE)	
LANDFILLS AT THE TRIMBLE COUNTY AND)	
GHENT GENERATING STATIONS)	

FIRST DATA REQUEST OF
STERLING VENTURES, LLC TO
KENTUCKY UTILITIES COMPANY

Sterling Ventures, LLC requests Kentucky Utilities Company to respond the First Data Request in accordance with the Commission's Order of Procedure entered in this matter.

Respectfully submitted,
Sterling Ventures, LLC

By: 
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Dated: July 2, 2015

DEFINITIONS

1. “Document” means the original and all copies (regardless of origin and whether or not including additional writing thereon or attached thereto) of any memoranda, reports, books, manuals, instructions, directives, records, forms, e-mail, notes, letters, or notices, in whatever form, stored or contained in or on whatever medium, including digital media.
2. “Study” means any written, recorded, transcribed, taped, filmed, or graphic matter, however produced or reproduced, either formally or informally, a particular issue or situation, in whatever detail, whether or not the consideration of the issue or situation is in a preliminary stage, and whether or not the consideration was discontinued prior to completion.
3. “Person” means any natural person, corporation, professional corporation, partnership, association, joint venture, proprietorship, firm, or the other business enterprise or legal entity.
4. A request to identify a natural person means to state his or her full name and business address, and last known position and business affiliation at the time in question.
5. A request to identify a document means to state the date or dates, author or originator, subject matter, all addressees and recipients, type of document (e.g., letter, memorandum, telegram, chart, etc.), identifying number, and its present location and custodian. If any such document was, but is no longer in the Company’s possession or subject to its control, state what disposition was made of it and why it was so disposed.
6. A request to identify a person other than a natural person means to state its full name, the address of its principal office, and the type of entity.
7. “And” and “or” should be considered to be both conjunctive and disjunctive, unless specifically stated otherwise.
8. “Each” and “any” should be considered to be both singular and plural, unless specifically stated otherwise.
9. Words in the past tense should be considered to include the present, and words in the present tense include the past, unless specifically stated otherwise.
10. “You” or “your” means the person whose filed testimony is the subject of these data requests and, to the extent relevant and necessary to provide full and complete answers to any request, “you” or “your” may be deemed to include any other person with information relevant to any interrogatory who is or was employed by or otherwise associated with the witness or who assisted, in any way, in the preparation of the witness’ testimony.
11. “Company” or “KU” means Kentucky Utilities Company and/or any of their officers, directors, employees or agents who may have knowledge of the particular matter addressed, and affiliates including Louisville Gas and Electric Company and PPL Corporation.

INSTRUCTIONS

1. If any matter is evidenced by, referenced to, reflected by, represented by, or recorded in any document, please identify and produce for discovery and inspection each such document.
2. These requests for information are continuing in nature, and information which the responding party later becomes aware of, or has access to, and which is responsive to any request is to be made available to Metropolitan Housing Coalition. Any studies, documents, or other subject matter not yet completed that will be relied upon during the course of this case should be so identified and provided as soon as they are completed. The Respondent is obliged to change, supplement and correct all answers to interrogatories to conform to available information, including such information as it first becomes available to the Respondent after the answers hereto are served.
3. Unless otherwise expressly provided, each data request should be construed independently and not with reference to any other interrogatory herein for purpose of limitation.
4. The answers provided should first restate the question asked and also identify the person(s) supplying the information.
5. Please answer each designated part of each information request separately. If you do not have complete information with respect to any interrogatory, so state and give as much information as you do have with respect to the matter inquired about, and identify each person whom you believe may have additional information with respect thereto.
6. In the case of multiple witnesses, each interrogatory should be considered to apply to each witness who will testify to the information requested. Where copies of testimony, transcripts or depositions are requested, each witness should respond individually to the information request.
7. The interrogatories are to be answered under oath by the witness(es) responsible for the answer.
8. If any document requested herein was at one time in existence, but has been lost, discarded or destroyed, identify such document as completely as possible, including the type of document, its date, the date or approximate date it was lost, discarded or destroyed, the identity of the person (s) who last had possession of the document and the identity of all persons having knowledge of the contents thereof.
9. In connection with any request for a working electronic spreadsheet or model which has supporting documentation on the use/operation of the spreadsheet or model, please include the use/operation documentation with the response.

**First Data Request of Sterling Ventures, LLC to
Kentucky Utilities Company**

1. Please see *Coal Combustion Byproduct Plan for Ghent Station*, (the “Ghent Plan”) Exhibit B to Sterling Ventures LLC’s (“Sterling”) Complaint in this case.
 - a. Please provide un-redacted copies of pages 3, 18, 19 and 20.
 - b. Please provide un-redacted copies of Appendix 2 (pages 24-28) and Appendix 3 (pages 30-35).
2. Please see Exhibits D and F attached to Sterling’s Complaint in this case.
 - a. Please provide a working electronic excel spreadsheet, with all cell formulas and linkages intact, with the information as set forth in Exhibits D for the years 2009 through the year used to calculate the PVRR for Case 37, the chosen Ghent landfill alternative, as contemplated in the original Application for the CPCN for the Ghent Landfill, KU Case No. 2009-00197 (the “2009 KU Application”).
 - b. Please provide a working electronic excel spreadsheet, with all cell formulas and linkages intact, with the information as set forth in Exhibits D for the years 2009 through the year necessary to calculate the PVRR of the Ghent Landfill and the CCRT facility, based upon actual costs to date, and the most recent projections of the Landfill’s future costs. To the extent any line items have been added since the original 2009 KU Application and need to be added to the format of Exhibit D in order to make it complete, please include those line items (i.e., capital and operating cost of the CCRT facility).
 - c. Please provide a working electronic excel spreadsheet, with all cell formulas and linkages intact, with the information as set forth in Exhibits F for all phases of the Ghent Landfill as originally contemplated in the 2009 KU Application.
 - d. Please provide a working electronic excel spreadsheet, with all cell formulas and linkages intact, with the information as set forth in Exhibits F for all phases of the Ghent Landfill based upon the actual cost to date of the Ghent Landfill, and the most recent projections of the Landfill’s future costs. To the extent any capital cost or operating and maintenance cost categories have been added since the original 2009 KU Application, please include those cost categories (i.e., capital and operating cost of the CCRT facility).
 - e. Please provide a working electronic excel spreadsheet, with all cell formulas and linkages intact, with the Company’s PVRR Analysis of the Ghent Landfill as originally contemplated in the 2009 KU Application.

- f. Please provide a working electronic excel spreadsheet, with all cell formulas and linkages intact, with the Company's PVRR Analysis of the Ghent Landfill, including the CCRT facility, based upon the actual cost to date of the Ghent Landfill, and the most recent projections of the Landfill's future costs.
 - g. Please provide a working electronic excel spreadsheet, with all cell formulas and linkages intact, with the information as set forth in Exhibits D for the years 2009 through the year necessary to calculate the PVRR of the Trimble County Landfill, including the CCRT facility, based upon actual costs to date, and the most recent projections of the Landfill's future costs. To the extent any line items have been added since the original 2009 KU Application and need to be added to the format of Exhibit D in order to make it complete, please include those line items (i.e., capital and operating cost of the CCRT facility).
 - h. Please provide a working electronic excel spreadsheet, with all cell formulas and linkages intact, with the information as set forth in Exhibits F for all phases of the Trimble County Landfill based upon the actual cost to date of the Landfill, including the CCRT facility, and the most recent projections of the Landfill's future costs. To the extent any capital cost or operating and maintenance cost categories have been added since the original version of Exhibit F in the 2009 KU Application, please include those cost categories (i.e., capital and operating cost of the CCRT facility).
 - i. With respect to any of the requests in subparagraphs a. through h. above, please provide copies of all calculations, work papers, spreadsheets (a working electronic excel spreadsheet, with all cell formulas and linkages intact) and any other supporting documents, including but not limited to the calculation of depreciation, useful life of landfill component asset cost and deferred tax calculations.
3. Please provide for the Ghent Generating Station and Trimble County Generating Station, CCR production by type (gypsum, fly ash, etc.) in tons and cubic yards for the period 2010 through the most recent period of 2015.
4. Please provide for the Ghent Generating Station and Trimble County Generating Station, CCR beneficial use by type and use (wallboard, cement, fill, etc.), in tons and cubic yards, for the period 2010 through the most recent month of 2015 available.
5. Please provide for the Ghent Generating Station and the Trimble Generating Station the amount of CCR transported by truck and by barge from each facility by CCR type in tons, cubic yards and number of truck loads and barges for the period 2010 through the most recent month of 2015 available.

6. Exhibit G attached to Sterling's Complaint is a PVRR calculation of the gypsum specific Ghent Landfill capital cost and operating and maintenance costs.
 - a. Please specifically identify any errors in Exhibit G and fully explain the error. By way of example, if the depreciation assumptions are incorrect, please provide an explanation of the error in book or tax depreciable life assumptions, and supply the correct assumptions for book and tax depreciation, with all supporting documentation.
 - b. What was the PVRR of the gypsum specific costs KU identified in Exhibit F of Sterling's Complaint as originally contemplated in the 2009 KU Application for the Ghent Landfill? Please provide copies of all calculations, work papers, spreadsheets and any other supporting documents, including but not limited to the calculation of depreciation, useful life of landfill component asset cost and deferred tax used in the PVRR calculation.
 - c. What is the PVRR of the gypsum specific costs of the Ghent Landfill and CCRT facility based upon the actual cost to date of the Landfill, including the CCRT facility, and the most recent projections of the Landfill's future costs? Please provide copies of all calculations, work papers, spreadsheets and any other supporting documents, including but not limited to the calculation of depreciation, useful life of landfill component asset cost and deferred tax used in the PVRR calculation.
7. Is the Company or any of its affiliates currently beneficially using any CCR in any of their operations? If so, please describe that use, and explain if and how that use will continue after the effective date of the new CCR regulations
8. Do the new CCR regulations require Ghent or Trimble County's CCR to be treated prior to beneficial use? Please provide an explanation of your response and citations to economic studies, literature, papers or other information or documentation supporting your response.
9. If all CCR production from Trimble can be beneficially used off-site, please explain why the CCRT facility would be required? Please provide citations to economic studies, literature, papers or other information or documentation supporting your response.
10. Please list all on-site disposal facilities at either Ghent or Trimble County that would qualify as an "Existing CCR Landfill" under the new CCR regulations. If any of those facilities would qualify as an Existing CCR Landfill as a result of the CCR regulations providing that Existing CCR Landfills must only comply with the location restrictions, but must be closed because the facility does not meet other

environmental or operational requirements as set forth in the new CCR regulations (i.e., surface water protection §257.3-3, run-on, run-off controls §257.81), then please identify the reason that the facility could not be used.

11. Please identify all existing on-site CCR disposal facilities at Ghent and Trimble County that would be defined as a CCR Surface Impoundment under the new CCR regulations, and state whether those facilities have liners meeting the new CCR location and liner design requirements. If those facilities meet the liner and location restriction, but must be closed for other reasons, please explain those reasons.
12. With respect to the Ghent gypsum stacking facility:
 - a. Is gypsum still to be placed in Ghent's gypsum stacking facility following the completion of the Ghent CCRT facility?
 - b. Will the Ghent gypsum stacking facility qualify as an "Existing Landfill" under the new CCR regulations? If so, will the Ghent gypsum stacking facility still be used as a landfill after the effective date of the new CCR regulations? Please provide citations to economic studies, literature, papers or other information or documentation supporting your response.
 - c. Will gypsum in the Ghent stacking facility continue to be used as a source of gypsum for beneficial users, or will all gypsum for beneficial use be loaded from the Ghent CCRT? If both facilities will be used in the future, please identify the criteria or conditions that would determine where gypsum would be sourced.
 - d. If the gypsum stacking facility continues to be used following the effective date of the CCR rules, what will be the projected available capacity for the next 40 years based on current beneficial use rates?
 - e. If the gypsum stacking facility is used following the effective date of the new CCR regulations, will gypsum be processed through the Ghent CCRT facility prior to being placed in the gypsum stacking facility?
 - f. What is the current capacity, and the total projected capacity, of the Ghent gypsum stacking facility?
 - g. Has the projected annual capacity of the Ghent gypsum stacking facility changed since the original production and capacity assumptions in Exhibit B of Sterling's Complaint? If so, please explain the facts and circumstances with supporting data that are the basis of the revised capacity projections.

13. Please provide as an excel spreadsheet in the format as presented in Exhibits D and F of Sterling's Complaint, with the projected cost, annual revenue requirements and corresponding PVRR of the Trimble County Landfill, including the CCRT facility, for all years of its projected PVRR life, with copies of all calculations, work papers, spreadsheets and any other supporting documents, including the calculation of operating and maintenance expenses, depreciation, useful life of landfill component asset cost and deferred tax calculations.
14. Based upon the most recent projected cost of \$501.5M, please provide in an excel spreadsheet the calculation of the PVRR of the Trimble County Landfill. To the extent not included on question 4 above, please provide copies of all calculations, work papers, spreadsheets and any other supporting documents, including but not limited to the calculation of depreciation, useful life of landfill component asset cost and deferred tax calculation used in calculating the Trimble County landfill PVRR.
15. Please provide the CCR capacity of each phase of the Ghent Landfill and the proposed Trimble County landfill.
16. The Company provided to the Department of the Army Corps of Engineers ("Corps") the capital cost for the Ravine B landfill in the December 2014 Supplement to Alternatives Analysis (the "404 Supplement"). According to the cost summary included in the 404 Supplement, the capital cost of the Ravine B alternative is \$179.7 million.¹ The Company provided information to the Commission in late 2014 that the total capital cost of the Ravine B landfill would be \$668.7 million.²
 - a. Please reconcile and provide a detailed description of the capital difference between the \$179.7 million cost of the Ravine B landfill as set forth in the 404 Supplement, and the \$668.7 million (\$501.5M/75%) capital cost provided to the Commission in the Company's 2014 Rate Case, including copies of all calculations, work papers, spreadsheets and any other supporting documents used to identify the capital cost difference.
 - b. Please identify specifically all of the "Common Cost" referred to in footnote 2 of Table III.D-1 of the 404 Supplement that were omitted from the Table, and the amount of such costs, both in 2012 dollars (per the Table), and the costs in 2015 dollars.
 - c. If not included in (b) above, please identify specifically any operating and maintenance costs common to all alternatives that were omitted from the Table III.D-1 of the 404 Supplement, and the amount of such costs, both in 2012 dollars (per the Table), and the costs in 2015 dollars.

¹ See Sterling Complaint, Exhibit P at 57 of 183.

² See Sterling Complaint, Exhibit T

- d. Were PVRR comparative analyses done for the disposal alternatives considered in the 404 Supplement, or in any of the earlier Clean Water Act 404 applications submitted by the Company to the Corps for the Trimble Landfill? If so, Please provide copies.
17. The Company's original applications with the PSC for CPCN's for the Ghent and Trimble County Landfills included an Exhibit titled: *E.ON Comprehensive Strategy for Management of Coal Combustion Byproducts*, June 2009 (the "Comprehensive Strategy"). (See page 18 of Sterling's Complaint), which contained the following statement on the analysis of beneficial use opportunities (the "Opportunity Process"):

While many factors impact decisions on how to proceed (such as safety, ability to acquire needed permit(s), etc.) present value of revenue requirements is used as the primary economic decision metric. In some instances, additional cost metrics (such as cost per cubic yard or cost per ton) may also be quantified. Documentation for the evaluation is typically produced in close proximity to completing the evaluation. Often the supporting documentation is the source from which many internal and external presentations or business cases discussing the issue are developed. As previously stated, documentation regarding the alternatives is typically developed in coordination with consultants, however, the economic evaluation and associated documentation summarizing the economic evaluation is developed within E.ON U.S. At each decision point (such as formulation of alternatives, evaluation of options, development of documentation), oversight is built into the process to serve as a check. The function of this validation step is to subject the alternatives, evaluation or documentation to extensive "what ifs" and to confirm that a better alternative or solution does not possibly exist. For example, is it possible that more favorable economics could not be achieved by selecting an alternative site or location?

With respect to that statement, please answer the following:

- a. Does the first sentence of the Opportunity Process refer to a decision on how to proceed after building and completing the first phase of a landfill only, or does the process also include a decision to proceed with constructing an on-site landfill?
- b. If the Opportunity Process does not apply to the initial decision to construct a landfill, please explain why.

- c. If the Company did follow the Opportunity Process, please produce the documentation referred to in the statement with respect to Sterling's 2011 proposal to beneficially use gypsum from the Ghent facility in Sterling's underground mine versus building the gypsum handling portion of the Trimble Landfill?
- d. To the extent not included in the above request, please provide copies of all e-mails, correspondence, PVRR analyses, spreadsheets, documentation, internal or external presentations, business cases and any other information prepared and reviewed or discussed with respect to Sterling's 2011 proposal.
- e. If KU did not follow the Opportunity Process with respect to Sterling's 2011 proposal, please explain why.
- f. In the December 2014 Supplement to Alternatives Analysis provided to the Corps, the Company made the following statement:

No consideration is given to timing factors that are common in many types of financial analyses, such as for a rate-of-return determination. There is no adjustment for inflation on future operations costs, possible future increases in energy costs, discounting to bring future costs to present value, or return on investment if operation costs are fully funded on Day 1 but only expended over time. LG&E considers the gross costs for construction and 37 years of operations to provide the fairest comparison of relative costs among alternatives.

What does the Company mean by the term "fairest" in its statement above? Is "fairest" synonymous with "best", or is "fairest" a comparative term viewed from the prospective of a party - in this case the Company or its ratepayers?

- g. With respect to the above statement, please explain why the Company uses PVRR as the "primary economic decision metric", as stated in the Opportunity Process, for comparing potential beneficial use options if the gross cost provides the "fairest comparison of relative cost among alternatives"?
- h. Please provide citations to economic studies, literature, papers or other information or other documentation supporting the conclusion that the gross cost of separate alternatives is the "fairest" method of comparing alternative investment options with differing capital and operating cost components.
- i. Please provide copies of all e-mails, correspondence, economic analyses, spreadsheets, documentation, internal or external presentations, business cases and any other information prepared and reviewed or discussed with respect to the

Company's decision to use gross value versus a present value or PVRR comparison in its CWA 404 Alternatives Analysis.

- j. In the MACTEC March 2012 Revised 404 Alternatives Analysis (Exhibit J of Sterling's Complaint), MACTEC states at 6-3: "The Preferred Alternative fulfills the responsibility of a publically regulated utility by the Kentucky Public Service Commission to provide the least cost alternative".
 - i. Did MACTEC calculate the least cost alternative of all the presented alternatives, or was that information supplied to MACTEC by the Company?
 - ii. With respect to the above statement, was the conclusion based upon a cost analysis using the PVRR of the alternatives considered, or a gross cost comparison similar to that used in the December 2014 Supplement to Alternatives Analysis?
 - iii. If MACTEC's statement was based upon a PVRR comparison of the alternatives, please explain why there was a change to using the gross cost comparison in the December 2014 Supplement to Alternatives Analysis.
 - iv. If MACTEC's statement was based upon an economic analysis criteria other than PVRR or gross cost, please identify that economic comparison method and explain why that criteria was used.
 - v. Please provide copies of all e-mails, correspondence, gross cost, present value or PVRR analyses, spreadsheets, documentation, internal or external presentations, business cases and any other information prepared and reviewed or discussed with respect to MACTEC's statement above, and a decision, if any, to change to the gross cost comparison method used in the December 2014 Supplement to Alternatives Analysis.

18. With respect to the Trimble County gypsum storage pond:

- a. Will gypsum still be placed in Trimble's gypsum storage pond following the completion of the Ghent CCRT facility and landfill?
- b. Will the Trimble gypsum storage pond qualify as an "Existing Landfill" under the new CCR regulations? If so, will the Ghent gypsum stacking facility still be used as a landfill after the effective date of the new CCR regulations?

- c. Will gypsum in the Trimble gypsum storage pond continue to be used by wallboard manufacturers after completion of the CCRT, or will all gypsum for wallboard manufacturers be loaded from the CCRT?
 - d. If the Gypsum stacking facility is used following the effective date of the new CCR regulations, will gypsum be processed through the Trimble gypsum storage pond prior to being placed in the gypsum stacking facility?
 - e. What is the current capacity, and the total projected capacity, of the Trimble gypsum storage pond?
 - f. Has the projected annual capacity of the Trimble gypsum storage pond changed since the production and capacity assumed in Exhibit C attached to Sterling's Complaint?
 - g. What is the moisture content range of gypsum removed from the Trimble gypsum storage pond for transport to wallboard manufacturing plants?
 - h. What is the current process used by wallboard manufacturers or other beneficial users to transport gypsum from Trimble County to the beneficial use site?
19. With respect to the gypsum barge loading facility at the Trimble County Station:
- a. What is the current maximum capacity of the barge loading facility?
 - b. Please describe the specific capacity limiting factors at the gypsum barge loading facility. Please provide copies of all equipment specifications, calculations, work papers, spreadsheets and any other supporting documents, used in support of your response.
 - c. Who owns the barges and tugs currently used to transport gypsum from the barge loading facility?
 - d. Does LG&E and/or KU currently own any barges or tugs used to transport gypsum from the barge loading facility to end users? If so, how many?
20. What are the average hours per day, and number of days per years, that the Trimble gypsum barge loading facility, fly ash barge loading facility and limestone barge unloading facility operate? Please provide copies of all calculations, work papers, spreadsheets and any other supporting documents, used in support of your response.
21. With respect to the Synthetic Materials ("Synmat") contract, please answer the following. Please provide copies of all equipment specifications, calculations, work

papers, spreadsheets and any other supporting documents, used in support of your responses.

- a. What is the contract period of the Synmat contract, and terms under which the contract can be extended by either party?
 - b. What is the minimum and maximum purchase tons in the Synmat contract? If the contract has a deferral period, please explain the deferral period contractual terms.
 - c. What are the penalties for Synmat not buying the minimum contracted purchase amount?
 - d. Does KU and/or LG&E have any knowledge or reason to believe that Synmat would not be able to meet its obligations under the contract?
 - e. Please explain in detail why it is not reasonable to assume that the contract with Synmat will continue, or that Synmat will not perform as set forth in the contract.
 - f. Please explain why it is not reasonable to assume that the current volume of beneficial use of Trimble County's gypsum production by Synmat or any other beneficial use party will not continue in the future.
 - g. If it is reasonable to assume that some beneficial use of Trimble County's gypsum production will continue in the future by Synmat and/or other beneficial users, please provide the amount of beneficial use that it is reasonable to assume will continue, and the amount the Company has planned for or expects to continue.
 - h. Is the contract between Synmat and Lafarge dated December 11, 2007 for delivery of Trimble County gypsum to Lafarge plants still in place?
 - i. Has the Company investigated or had discussions with Synmat or any other party as to whether anticipated closings of coal-fired power plants and/or the conversion of coal-fired power plants to natural gas will have an impact on future demand for gypsum and/or fly ash from Ghent or Trimble County. If so, please provide all e-mails, correspondence, PVR analyses, spreadsheets, documentation, internal or external presentations, business cases, forecasts and any other information prepared, reviewed or discussed with respect to anticipated future demand.
22. With respect to the Trimble County fly ash barge loading facility, please answer the following. Please provide copies of all equipment specifications, calculations, work papers, spreadsheets and any other supporting documents, used in support of your responses.

- a. What is the maximum capacity per hour of the barge loading facility?
 - b. What is the maximum annual capacity of the barge loading facility?
 - c. Based on the current volume of fly ash processed through the barge loading facility, what is the remaining capacity?
 - d. How is fly ash currently transported to the barge loading facility, and from where on plant property?
 - e. After completion of the proposed CCRT, will fly ash be processed at the CCRT before being transported to the fly ash barge loading facility, or will the current process be continued?
 - f. Who owns the barges and tugs currently used to transport fly ash from the barge loading facility?
 - g. Does LG&E and/or KU currently own any barges or tugs used to transport fly ash from the barge loading facility to end users? If so, how many?
 - h. What is the moisture content of Trimble fly ash loaded through the barge loading facility?
 - i. What is the minimum and maximum moisture content of fly ash that can be loaded through the barge loading facility?
 - j. Please describe the specific capacity limiting factors at the fly ash barge loading facility?
23. With respect to the Holcim contract please answer the following. Please provide copies of all equipment specifications, calculations, work papers, spreadsheets and any other supporting documents, used in support of your responses:
- a. What is the contract period of the Holcim contract, and terms under which the contract can be extended by either party?
 - b. What is the minimum and maximum purchase tons in the Holcim contract? If the contract has a deferral period, please explain the deferral period contractual terms.
 - c. What are the penalties for Holcim not buying the minimum contracted purchase amount?

- d. Does the Company have any knowledge or reason to believe that Holcim would not be able to meet its obligations under the contract?
 - e. Please explain in detail why it is not reasonable to assume that the contract with Holcim will continue, or that Holcim will not perform as set forth in the agreement.
 - f. Please explain why it is not reasonable to assume that the current volume of beneficial use of Trimble County's fly ash production by Holcim or any other beneficial use party will not continue in the future.
 - g. If it is reasonable to assume that some beneficial use of Trimble County's fly ash production will continue in the future by Holcim and/or other beneficial users, please provide the amount of beneficial use that it is reasonable to assume will continue.
 - h. Has the Company investigated or had discussions with Holcim or any other party as to whether anticipated closings of coal-fired power plants and/or the conversion of coal-fired power plants to natural gas will have an impact on future demand for gypsum and/or fly ash from Ghent or Trimble County? If so, please provide all e-mails, correspondence, PVRR analyses, spreadsheets, documentation, internal or external presentations, business cases, forecasts and any other information prepared, reviewed or discussed with respect to anticipated future demand.
24. Please provide any and all projections and/or forecasts of anticipated beneficial use provided to LG&E and/or KU from any party beneficially using CCR from Ghent and Trimble County.
25. Please provide the average number of days supply of limestone in Trimble County's limestone storage piles for the last three years and the most recent period available for 2015. Please provide copies of all calculations, work papers, spreadsheets and any other documents, used in support of your response.
26. Please identify, and provide any correspondence or documentation from, all regulatory officials or other parties that the Company contacted in connection with its statement in footnote 13 on page 14 of the Joint Application for Declaratory Order concerning the use of Sterling's mine after the effective date of the new CCR regulations.
27. In Exhibit 5, page 4 of 13, to the Company's Joint Application for Declaratory Order in this case, it stated that: "over the past three years, the Trimble County coal units

produced an average of 743,000 tons of CCR annually. Approximately 234,000 tons of the station's CCR were beneficially reused each year... ”

- a. Assuming that level of production and beneficial use continues in the future, what would be the cost per ton and per cubic yard (based upon including expected return on environmental rate base, depreciation, O&M costs, and other applicable costs) to place the remaining 509,000 in the Trimble Landfill?
- b. Please explain why it is not reasonable for the Company to assume that the net CCR capacity requirements after beneficial use for the proposed Trimble Landfill is not approximately 500,000 tons.

28. Exhibit S attached to Sterling's Complaint is a PVRR calculation for Sterling's proposal to use an industrial site with an existing barge permit on the northern edge of Warsaw, Kentucky approximately 9 miles south of Sterling's mine as a site for a barge unloading facility (the "Warsaw barge site"). Attached to Exhibit S are the assumptions on which the PVRR calculation is based (the "Support Document").

- a. Attached as Attachment A to this Data Request is details of the barge site Sterling referred to in its emails to Scott Straight on December 5th, December 11th and December 30th of 2014.
 - i. Please explain why the Company chose not to meet, discuss or pursue this alternative with Sterling.
 - ii. Please provide copies of all e-mails, correspondence, PVRR analyses, spreadsheets, documentation, internal or external presentations, business cases and any other information prepared and reviewed or discussed with respect to the option of using the Warsaw barge site in connection with Sterling's proposal for beneficial use of Trimble County's CCR.
 - iii. With the understanding that the difference between the proposed annual lease payment of \$120,000 per year, and the \$200,000 per year Sterling used in Exhibits S, U, V and W of its Complaint (see Row 20) is to cover the cost of available office space at the site and taxes, please identify the cost reductions from using the Warsaw barge site instead of the barge site and the related infrastructure, land and other cost contemplated in the Sterling alternative detailed in the December 2014 Supplement to Alternatives Analysis.
- b. Please specifically identify any errors in the Support Document and/or the PVRR calculation, and fully explain the error. By way of example, if the depreciation assumptions in the Support Document are incorrect, please provide an explanation

of the error in book or tax depreciable life assumptions and supply the correct assumptions for book and tax depreciation, with supporting documentation.

- c. If the Company has identified errors in the Support Document, cost data and assumptions and the corresponding PVRR calculation, please provide in a working electronic format with cell formulas and file linkages intact an excel spreadsheet with a PVRR calculation of Sterling's proposal using the Company's corrected assumptions and cost data. Please provide copies of all calculations, work papers, spreadsheets and any other supporting documents, including but not limited to the calculation of depreciation, useful life of landfill component asset cost and deferred tax used in the PVRR calculation.
29. With respect to the Charah contract identified in Exhibit Q attached to Sterling's Complaint.
- a. Please identify the term and any renewal period of the contract.
 - b. Does the contract have any minimum or maximum purchase requirements of CCR?
 - c. Does KU and/or LG&E have any reason to believe that Charah would not be able to meet its obligations under the contract?
 - d. Please explain in detail why it is not reasonable to assume that the contract with Charah will continue, or that Charah will not perform as set forth in the contract. Please provide copies of all documents, work papers, studies or other information supporting your response.
 - e. Please explain why it is not reasonable to assume that the Charah contract will not increase the current volume of beneficial use of Trimble County's CCR production. Please provide copies of all documents, work papers, studies or other information supporting your response.
 - f. If it is reasonable to assume that the Charah contract will increase the future beneficial use of Trimble County's CCR production, please provide the amount of increased beneficial use that it is reasonable to assume will result from the Charah contract. Please provide copies of all documents, work papers, studies or other information supporting your response.
 - g. If it is not reasonable to assume that the Charah contract will increase the future beneficial use of Trimble County's CCR production, please explain the reason for choosing Charah as the party to market CCR production from Trimble County.

- h. If Charah is able to obtain new future uses of Trimble County's CCR production, will the Trimble gypsum barge loading facility and/or Trimble fly ash barge loading facility be available for that new beneficial user?
 - i. If Charah is able to obtain new future uses of Trimble County's CCR production, will the new beneficial user be allowed to truck CCR from Trimble County? If so, will the Company limit the amount of sales by truck from Trimble County?
 - j. If truck sales of CCR would be limited from Trimble, please provide the amount of CCR beneficial use that Trimble would be willing to forgo as a result of Company limitations imposed on truck transportation from Trimble. Please provide copies of all documents, work papers, studies or other information supporting your response.
30. The Company has a contract with Crouse Corporation as the exclusive barging supplier for coal and limestone at Ghent and Trimble County. Does Crouse also transport gypsum or fly ash from the Trimble barge loading facility? If so, does Crouse own the barges and tugs used for that gypsum or fly ash transportation?
31. With respect to the regulatory permits necessary to construct the Trimble Landfill, please answer the following.
- a. Can the Company guarantee that all permits necessary for construction of the Trimble Landfill will be granted, or that construction will be completed prior to exhaustion of current on-site landfill capacity? If yes, please explain and support the answer.
 - b. If the Company cannot guarantee that it will receive all permits necessary to construct the Trimble Landfill, or that construction will be completed before exhaustion of current on-site landfill, please describe the Company's contingency plans for disposal of Trimble County CCR.
 - c. Can the Company guarantee that they will receive Kentucky PSC approval to construct later phases of the Trimble County Landfill? If yes, please explain and support the answer.

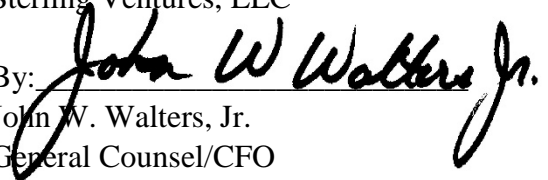
Can the Company guarantee that they will receive necessary regulatory permits (other than the PSC) to construct later phases of the Trimble County Landfill? If yes, please explain and support the answer.
 - d. Based upon prior representations to the PSC as to the dates that the Company believed it would begin construction of the Trimble Landfill, please explain why

it is reasonable to believe that they will receive all permits necessary to begin construction of the Trimble Landfill by the spring of 2016.

- e. Has the Company been in contact with the Sierra Club, the Kentucky Resources Council or any other environmental group concerning whether litigation challenging the permits issued by governing regulatory agencies will be challenged in court?
 - f. Please provide copies of all documents, work papers, studies or other information supporting the Company's assertion that litigation of issued regulatory permits will not exceed one year.
32. Based upon the Company's experience transporting and placing CCR in landfills, ponds and stacking facilities:
- a. Does the Company have any reason to believe that Sterling's proposed price for placing Trimble County's net CCR production in the Sterling underground mine would not be a profitable project for Sterling? Please provide copies of all documents, work papers, studies or other information supporting your response.
 - b. If not, please provide a price that the Company believes would make the project a profitable venture for Sterling. Please provide copies of all documents, work papers, studies or other information supporting your response.
 - c. Does the Company have any reason to believe that Sterling's proposed price for placing Trimble County's net CCR production in the Sterling underground mine is excessive or would result in unreasonable profits to Sterling? Please provide copies of all documents, work papers, studies or other information supporting your response.

Respectfully submitted,
Sterling Ventures, LLC

By:


John W. Walters, Jr.

General Counsel/CFO

376 South Broadway

Lexington, KY 40508

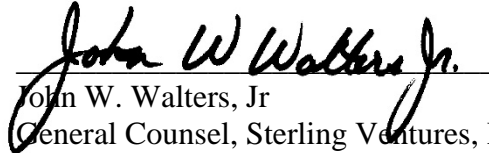
Phone: (859) 259-9600

johnwalters@sterlingventures.com

Dated: July 2, 2015

CERTIFICATE OF COMPLIANCE

This is to certify that Sterling Ventures, LLC's July 2, 2015 electronic filing of the Data Requests is a true and accurate copy of the same document being filed in paper medium; that the electronic filing has been transmitted to the Commission on July 2, 2015; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; and that an original paper copy of the Data Requests is being mailed, by first class United States mail, postage prepaid, to the Commission on July 2, 2015.



John W. Walters, Jr
General Counsel, Sterling Ventures, LLC

ATTACHMENT A

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Cincinnati, Ohio 45202
www.colliers.com

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FAX +1 513-721-0630



March 24, 2015

Mr. John W. Walters, Jr.
Sterling Ventures
376 South Broadway
Lexington, KY 40508

RE: Lease Proposal – 901 E. Main Street, Maysville, Kentucky

Dear Mr. Walters:

The following outlines our Quotation for a Lease Proposal containing the following terms and conditions:

Location: 901 East Main Street, Warsaw, Kentucky, consisting of a 158,340 SF Industrial/Manufacturing facility on 24 acres located on the Ohio River, mile marker 528.

Ownership: Riverside Industrial Properties, LLC

Tenant: Sterling Ventures
Lexington, Kentucky

Space: 3 to 5 acres, including access to 300' to 400' linear feet of frontage on the Ohio River. Average depth to be determined. See Exhibit "A".

Term: 37 years

Occupancy Date: At signing of lease

Rental Rate: Not to exceed \$10,000/month, \$120,000 annually. Lease rate adjusted every five (5) years subject to C.P.I.

Expenses and Real Estate Taxes: Prorata share to Tenants account

Lease Renewals: Agreed, per terms acceptable to Landlord and Tenant

Use: Receiving/Shipping Bulk Commodities

Lease Form: Landlords Lease

Condition of Premises: As-Is

This quotation shall only be in full force and effect when both parties (Landlord and Tenant) execute a legally binding Lease agreement and the Lease agreement is delivered to both parties.

