



STOLL
KEENON
OGDEN
PLLC

2000 PNC PLAZA
500 WEST JEFFERSON STREET
LOUISVILLE, KY 40202-2828
MAIN: (502) 333-6000
FAX: (502) 333-6099

KENDRICK R. RIGGS
DIRECT DIAL: (502) 560-4222
DIRECT FAX: (502) 627-8722
kendrick.riggs@skofirm.com

June 29, 2015

ELECTRONIC FILING

Jeff DeRouen
Executive Director
KY Public Service Commission
211 Sower Boulevard
Frankfort, KY 40601

RE: Investigation of Kentucky Utilities Company's and Louisville Gas and Electric Company's Respective Need for and Cost of Multiphase Landfills at the Trimble County and Ghent Generating Stations
Case No. 2015-00194

Dear Mr. DeRouen:

I am writing in response to the June 28, 2015 letter from Sterling Ventures' counsel, and to ask the Commission to issue an order approving the procedural schedule upon which the parties—including Sterling Ventures' counsel—agreed during the June 19 informal conference in this proceeding.

Kentucky Utilities Company and Louisville Gas and Electric Company ("Companies") requested in their application in Case No. 2015-00156 that the Commission issue an order by October 2015 reaffirming the Companies' existing certificate of public convenience and necessity and cost-recovery authority through their environmental surcharge mechanisms because the Companies must begin the request-for-quotations process for their coal-combustion-residuals treatment facility ("CCRT") and related facilities in this quarter, and plan to award a contract for the CCRT in October or November 2015. Although some permits for the landfill itself have yet to be obtained (the permits shown as yet-to-be-obtained in Exhibit 3 to the Companies' application), there are no major permits required to construct the CCRT; all permits required will be obtained in the normal course of engineering and constructing a facility at the Companies' generating stations; the construction of utility facilities typically proceeds along parallel construction, permitting and regulatory paths; and construction on that facility must begin soon. Because the existing bottom ash pond at the Trimble County Generation Station is not lined with a synthetic-membrane, the Companies' current expectation is that the bottom ash

pond will not meet the CCR Rule's requirements for further wet CCR storage and will need to be closed for storage at the end of 2018. The Companies' construction schedule is reasonable based on the Companies' experience with the CCRT and landfill project at the Ghent Generation Station. The Companies therefore respectfully request that the Commission reject the request from Sterling Ventures' counsel to unduly delay the Commission's investigation and issue the procedural schedule upon which the parties agreed less than two weeks ago.

And it is important to note that the Commission Staff's June 24, 2015 Intra-Agency Memorandum accurately reflects the discussions of counsel for the Companies, Kentucky Industrial Utility Customers, Inc. and Sterling Ventures when it states, "[T]he parties discussed dates for a procedural schedule and agreed upon the following dates" The Commission's June 16, 2015 Order granted the motions for the informal conference by both parties "for the purpose of discussing the issues in this case and establishing a procedural schedule." "[A]dding one to two weeks to each of the deadline dates," as Sterling Venture asserts, is contrary to the well-established Commission practice of approximately ten business days between each deadline. The Companies ask the Commission to hold the parties to the agreement they reached at the informal conference and accurately memorialized in the Commission Staff's memorandum.

Thank you for the opportunity to submit these comments. Should you have any questions, please contact me at your convenience.

Yours very truly,



Kendrick R. Riggs

KRR:ec

cc: Parties of Record