

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

ELECTRONIC APPLICATION OF)
LOUISVILLE GAS AND ELECTRIC)
COMPANY FOR AN ADJUSTMENT OF ITS) CASE NO. 2016-00371
ELECTRIC AND GAS RATES AND FOR)
CERTIFICATES OF PUBLIC CONVENIENCE)
AND NECESSITY)

MOTION TO INTERVENE
OF WAL-MART STORES EAST, LP AND SAM'S EAST, INC.

Pursuant to K.R.S. §278.310 and 807 KAR 5:001 Section 3(8), Wal-Mart Stores East, LP and Sam's East, Inc. (collectively, "Walmart"), by its attorneys, respectfully requests that the Commission permit it to intervene and become a party in the above-captioned matter. In support of its Motion to Intervene, Walmart submits as follows:

1. On November 23, 2016, Louisville Gas and Electric Company ("LGE" or "Company") filed an Application seeking approval for adjustment of its electric and natural gas rates, as well as Certificates of Public Convenience and Necessity for deployment of Advanced Metering Systems and its Distribution Automation Project and other requests for relief.
2. Walmart is a national retailer of goods and services throughout the United States. Walmart's principal office is at 2001 SE 10th Street, Bentonville, AR 72716-0550.
3. Walmart has the privilege of providing its retail services in the Commonwealth of Kentucky. Walmart is a large commercial customer of the Company. Walmart has multiple facilities in Kentucky that are served by the Company. Walmart purchases more than 55 million kWh annually in electricity from the Company, principally pursuant to service under Time-of-Day Secondary and Primary rate schedules and the Power Service Primary rate schedule.

Walmart purchases approximately 925,000 therms in natural gas from the Company pursuant to service under a firm commercial rate schedule. Energy is one of the single highest operating costs faced by Walmart. As a result, any modification to the Company's rates has the potential to substantially impact Walmart's operations in Kentucky.

4. Accordingly, Walmart has a direct and substantial interest in the outcome of this proceeding. Further, Walmart is unique in that it is a single commercial customer that purchases substantial amounts of electricity, natural gas, and related services from the Company pursuant to multiple accounts at multiple locations. Thus, Walmart has an interest in this proceeding that is not represented by any other party.

5. The attorneys representing Walmart in this proceeding are:

Don C. A. Parker
Spilman Thomas & Battle, PLLC
300 Kanawha Blvd, East
Charleston, WV 25301
Phone: (304) 340-3896
Fax: (304) 340-3801
E-mail: dparker@spilmanlaw.com

Barry A. Naum
Spilman Thomas & Battle, PLLC
1100 Bent Creek Blvd., Suite 101
Mechanicsburg, PA 17050
Phone: (717) 795-2740
Fax: (717) 795-2743
E-mail: bnaum@spilmanlaw.com

Carrie M. Harris
Spilman Thomas & Battle, PLLC
110 Oakwood Drive, Suite 500
Winston-Salem, NC 27103
Phone: (336) 725-4710
Fax: (336) 725-4476
Email: charris@spilmanlaw.com

Mr. Parker is authorized to accept service of papers in this proceeding on behalf of Walmart. Walmart also respectfully requests that Mr. Naum and Ms. Harris be added jointly to the service list. Walmart plans to cause to be filed motions for Mr. Naum and Ms. Harris to be admitted *pro hac vice* before this Commission, and subsequent to any Commission grant of such requests, Walmart requests that Mr. Naum and Ms. Harris be added to the official service list as attorneys

authorized to accept service of papers in this proceeding.

WHEREFORE, Walmart respectfully requests that it be granted leave to intervene and be made a party to the above-captioned proceeding.

Respectfully submitted,

SPILMAN THOMAS & BATTLE, PLLC



By

Don C. A. Parker (Kentucky I.D. No. 94113)
Spilman Thomas & Battle, PLLC
300 Kanawha Blvd, East
Charleston, WV 25301
Phone: (304) 340-3896
Fax: (304) 340-3801
E-mail: dparker@spilmanlaw.com

Barry A. Naum
Spilman Thomas & Battle, PLLC
1100 Bent Creek Blvd., Suite 101
Mechanicsburg, PA 17050
Phone: (717) 795-2740
Fax: (717) 795-2743
E-mail: bnaum@spilmanlaw.com

Carrie M. Harris
Spilman Thomas & Battle, PLLC
110 Oakwood Drive, Suite 500
Winston-Salem, NC 27103
Phone: (336) 725-4710
Fax: (336) 725-4476
Email: charris@spilmanlaw.com

Counsel to Wal-Mart Stores East, LP and Sam's East, Inc.

Dated: December 8, 2016

CERTIFICATE OF SERVICE

I hereby certify that Walmart's December 8, 2016, electronic filing is a true and accurate copy of the Motion to Intervene to be filed in paper medium; and that on December 8, 2016, the electronic filing has been transmitted to the Commission, and that an original and one copy of the filing will be delivered to the Commission, that no participants have been excused from electronic filing at this time, and served upon the following via Electronic Mail:

Rebecca W. Goodman, Esq.
Lawrence W. Cook, Esq.
Kent Chandler, Esq.
Office of the Attorney General
1024 Capital Center Drive, Suite 200
Frankfort, KY 40601-8204
Rebecca.Goodman@ky.gov
Larry.Cook@ky.gov
Kent.Chandler@ky.gov

Robert M. Conroy
Vice President – State Regulation and Rates
Rick E. Lovekamp
Manager – Regulatory Affairs/Tariffs
LG&E and KU Services Company
220 West Main Street
Louisville, KY 40202
robert.conroy@lge-ku.com
rick.lovekamp@lge-ku.com

Allyson K. Sturgeon, Esq.
Sara Veeneman, Esq.
LG&E and KU Services Company
220 West Main Street
Louisville, KY 40202
Allyson.Sturgeon@lge-ku.com
sara.veeneman@lge-ku.com

Kendrick R. Riggs, Esq.
W. Duncan Crosby, III, Esq.
Stoll Keenon Ogden PLLC
2000 PNC Plaza
500 West Jefferson Street
Louisville, KY 40202-2828
kendrick.riggs@skofirm.com
duncan.crosby@skofirm.com

Lindsey W. Ingram, III, Esq.
Monica H. Braun, Esq.
Gerald E. Wuetcher, Esq.
Stoll Keenon Ogden PLLC
300 West Vine Street, Suite 2100
Lexington, KY 40507-1801
l.ingram@skofirm.com
monica.braun@skofirm.com
gerald.wuetcher@skofirm.com

Michael L. Kurtz, Esq.
Kurt J. Boehm, Esq.
Jody Kyler Cohn, Esq.
Boehm, Kurtz & Lowry
36 East Seventh Street, Suite 1510
Cincinnati, Ohio 45202
MKurtz@bkllawfirm.com
kboehm@bkllawfirm.com
jkylercohn@bkllawfirm.com

Robert C. Moore, Esq.
Stites & Harbison PLLC
421 West Main Street
P.O. Box 634
Frankfort, KY 40602-0634
rmoore@stites.com

Emily W. Medlyn, Esq.
U.S. Army Legal Services Agency
Regulatory Law Office (JALS-RL/IP)
9275 Gunston Road
Fort Belvoir, VA 22060-4446
Emily.w.medlyn.civ@mail.mil

G. Houston Parrish, Esq.
Office of Staff Judge Advocate
Building 1310, Room 218
50 3rd Avenue
Fort Knox, KY 40121-5230
Glenn.h.parrish.civ@mail.mil

Certificate of Service
Case No. 2016-00371
Page 2

Lisa Kilkelly, Esq.
Eileen Ordover, Esq.
Legal Aid Society, Inc.
416 W. Muhammad Ali Blvd., Suite 300
Louisville, KY 4020
LKilkelly@laslou.org
EOrdover@laslou.org



Don C. A. Parker (Kentucky I.D. No. 94113)