

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

ELECTRONIC INVESTIGATION OF THE)
REASONABLENESS OF THE DEMAND SIDE) CASE NO. 2017-00097
MANAGEMENT PROGRAMS AND RATES OF)
KENTUCKY POWER COMPANY)

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 Kentucky Public Service Commission ("PSC" or "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 February 23, 2017, the Commission issued an Order initiating an investigation of the reasonableness of Kentucky Power Company's ("KPCo" or "Company") demand side management ("DSM") programs and rates.

2. Walmart is a global retailer of goods and services and also operates 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 approximately 34 million kWh annually from the Company. Electricity 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. Further, Walmart is dedicated to its own investment in DSM and energy efficiency ("EE") and therefore is very interested in this case and the potential impact that revisions to KPCo's DSM programs may have on these efforts.

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 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:

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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

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

Dated: March 24, 2017

CERTIFICATE OF SERVICE

I hereby certify that Walmart's March 24, 2017, electronic filing is a true and accurate copy of the Motion to Intervene to be filed in paper medium; and that on March 24, 2017, 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:

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