

**COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION**

In the Matter of:

ELECTRONIC APPLICATION OF LOUISVILLE)	
GAS AND ELECTRIC COMPANY FOR A)	Case No. 2017-00195
CERTIFICATE OF PUBLIC CONVENIENCE)	
AND NECESSITY FOR THE CONSTRUCTION)	
OF AN ELECTRIC TRANSMISSION LINE)	

MOTION FOR FULL INTERVENTION

Waste Management of Kentucky, LLC (“Waste Management”), by counsel, hereby moves the Public Service Commission of the Commonwealth of Kentucky (the “Commission”), pursuant to 807 KAR 5:001 Section 4(11), for full intervention in the above-captioned matter. In support of its motion, Waste Management states as follows.

1. The full name and address of Waste Management is Waste Management of Kentucky, LLC, 2673 Outer Loop, Louisville, KY 40219.

2. Louisville Gas and Electric Company (“LG&E”) has filed an application (the “Application”) with the Commission requesting a Certificate of Public Convenience and Necessity (“CPCN”) for the relocation and construction of a 138-kilovolt electric transmission line located on Waste Management’s property in Jefferson County, Kentucky. LG&E has stated that it also intends to relocate a gas transmission line at the same property, and it has asserted in its Application that no CPCN is necessary for such relocation. Waste Management requested the relocation of both the electronic transmission line and the gas transmission line (together, the “Relocations”) in connection with the construction associated with permitted expansion landfill activities.

3. In its order of July 11, 2017 in this proceeding (the “July 11 Order”), the Commission ordered that all entities who wish to become parties to this proceeding shall file requests for intervention “by July 14, 2017.” (July 11 Order, p. 1.)

I. Standard for full intervention.

4. Pursuant to 807 KAR 5:001 Section 3(8), a person moving for full intervention shall be granted such status if the Commission makes either of the following determinations: (i) the movant “has a special interest in the proceeding which is not otherwise adequately represented”; or (ii) the movant “is likely to present issues or develop facts that assist the commission in fully considering the matter without unduly complicating or disrupting the proceedings”

II. Waste Management has special interests in this proceeding that are not otherwise adequately represented.

5. Waste Management has a special interest in this proceeding because it requested that LG&E perform the Relocations that are the subject of the Application. Waste Management requested the Relocations in order to facilitate the expansion of its landfill facility; therefore, it has a business and operational interest in the Relocations that are unique to it and also to LG&E’s provision of reasonable and adequate service. Furthermore, Waste Management owns all the property that will be affected by the Relocations.

6. No other party to this proceeding requested that LG&E perform the Relocations, nor does any other party to this proceeding own property that will be affected by the Relocations.

7. For the reasons set forth above, Waste Management’s special interests are unique to its position as both the requester of the Relocations and the owner of the affected property. Accordingly, Waste Management’s special interests are not adequately represented by any other party to this proceeding.

8. For these reasons, Waste Management respectfully requests that the Commission grant its motion for full intervention on the grounds that it has special interests in this proceeding that are not otherwise adequately represented.

III. Waste Management is likely to present issues or develop facts that will assist the Commission in fully considering this matter without unduly complicating or disrupting the proceedings.

9. Waste Management will be able to present issues and to develop facts that will assist the Commission in fully considering this matter. Specifically, Waste Management will be able to develop facts regarding the purpose of the Relocations, the impact of the Relocations on the property, the reasonableness of the Relocations, and the potential ramifications of any contemplated action by the Commission, including the adverse consequences a denial of the Application would have on Waste Management's business and operations.

10. The issues and facts Waste Management would be able to develop as an intervenor are central to the primary purpose of this proceeding. They would add important details and considerations fundamentally related to the purpose of the Application, and would not create "side" issues or delay the procedural schedule. Therefore, Waste Management's intervention will permit the Commission to fully and efficiently consider the matters at issue in this proceeding, and will not unduly complicate or disrupt this proceeding.

11. For these reasons, Waste Management respectfully requests that the Commission grant its motion for full intervention on the grounds that it is likely to present issues or develop facts that assist the Commission in fully considering this matter without unduly complicating or disrupting the proceedings.

12. In the July 11 Order, the Commission further found that "KRS 278.040(2) requires that a person seeking intervention must have an interest in the rates or service of a

utility, as those are the only matters that are subject to the Commission's jurisdiction." July 11 Order, p. 2.

13. LG&E provides electric service to Waste Management. Furthermore, LG&E's construction, maintenance, and relocation of gas and electric transmission lines are an important part of its services as a public utility. Therefore, Waste Management has an interest in rates and services subject to the Commission's jurisdiction pursuant to KRS 278.040(2).

WHEREFORE, Waste Management respectfully requests that the Commission grant its motion for a full intervention in this proceeding.

Respectfully submitted,

/s/Edward T. Depp

Edward T. Depp

DINSMORE & SHOHL LLP

101 South Fifth Street

Suite 2500

Louisville, KY 40202

Phone: 502.540.2300

Fax: 502.585.2207

tip.depp@dinsmore.com

Counsel to Waste Management of Kentucky, LLC