

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

IN THE MATTER OF The Electronic Application of Duke Energy :
Kentucky, Inc., for: 1) An Adjustment of the Electric Rates; 2 :
Approval of an Environmental Compliance Plan and Surcharge : **Case No. 2017-00321**
Mechanism; 3) Approval of New Tariffs; 4) Approval of :
Accounting Practices to Establish Regulatory Assets and :
Liabilities; and 5) All Other Required Approvals and Relief :
:

**MOTION TO INTERVENE OF
KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC.**

Pursuant to 807 KAR 5:001, Section 4(11), KRS 278.310, and KRS 278.040(2), Kentucky Industrial Utility Customers, Inc. (“KIUC”) requests that it be granted full intervenor status in the above-captioned proceeding(s) and states in support thereof as follows:

1. 807 KAR 5:001, Section 4(11)(a)(1) requires that a person requesting leave to intervene as a party to a case before the Kentucky Public Service Commission (“Commission”), by timely motion, must state his or her interest in the case and how intervention is likely to present issues or develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings.
2. 807 KAR 5:001, Section 4(11)(b) provides that the Commission shall grant a person leave to intervene if the Commission finds that he or she has made a timely motion for intervention and that he or she has a special interest in the case that is not otherwise adequately represented or that his or her intervention is likely to present issues or to develop facts that assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings.
3. KIUC is an association of the largest electric and gas public utility customers in Kentucky. The purpose of KIUC is to represent the industrial viewpoint on energy and utility issues before this Commission and before all other appropriate governmental bodies. The attorneys for KIUC authorized to represent them in this proceeding and to take service of all documents are:

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4. KIUC filed a timely motion to intervene in this proceeding.
5. KIUC has a special interest in this case that is not otherwise adequately represented. The member(s) of KIUC who are served by Duke Energy Kentucky, Inc. and will participate herein is River Metals Recycling, a wholly owned subsidiary of Nucor, Inc. (“River Metals”).¹ No other industrial customers are participating in this case. Given its substantial electric usage and its ability to receive interruptible power under Duke’s PowerShare Program, the matters being decided by the Commission in this case may have a significant impact on electric rates and service of the aforementioned KIUC member(s). Furthermore, Duke is proposing to break the single Rate TT energy charge into four different energy charges. River Metals takes service on Rate TT, and the significant changes to the energy charge of that rate being proposed in this case could adversely affect River Metals.
6. KIUC’s special interest cannot be adequately represented by any existing party. While the Kentucky Attorney General’s Office of Rate Intervention is statutorily charged with representing the interests of “consumers” pursuant to KRS 367.150(8), that duty relates primarily to residential customers. In contrast, KIUC’s interest is exclusively related to large industrial customers.
7. KIUC’s intervention is likely to present issues or develop facts that will assist the Commission in fully considering the matters at hand. KIUC has participated in ratemaking matters before this Commission since 1978 and was formally incorporated in 1983. Over the past 30 years alone, KIUC has intervened in nearly one hundred cases addressing electric rate and service issues.
8. KIUC intends to play a constructive role in the Commission’s decision-making process.

¹ KIUC will supplement the names of additional KIUC member intervenors if necessary.

9. KIUC's intervention will not unduly complicate or disrupt the proceedings.

WHEREFORE, KIUC requests that it be granted full intervenor status in the above-captioned proceeding.

Respectfully submitted,



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