

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

IN THE MATTER OF: JOINT APPLICATION OF LOUISVILLE GAS :
AND ELECTRIC COMPANY AND KENTUCKY UTILITIES COMPANY :
FOR REVIEW, MODIFICATION, AND CONTINUATION OF CERTAIN : **Case No. 2017-00441**
EXISTING DEMAND-SIDE MANAGEMENT AND ENERGY :
EFFICIENCY PROGRAMS :

**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 Kentucky Utilities Company (“KU”) and Louisville Gas & Electric Co. (“LG&E”) (collectively the “Companies”) who will participate herein are: AAK USA K2, LLC, Carbide Industries LLC, Clopay Plastic Products Co., Inc., Corning, Inc., Dow Corning Corporation, Ford Motor Company, North American Stainless, The Chemours Company and Toyota Motor Manufacturing, Kentucky, Inc.¹
6. KIUC was an active party in the Companies’ last DSM/EE Program Plan proceeding at Case No. 2014-00003. KIUC has also been an active participant in collaborative discussions related to the Companies DSM plan.
7. 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. The participation of industrial customers is particularly important in this proceeding because the interpretation of Kentucky’s industrial opt-out statute (KRS 278.285(3)) may be at issue.
8. 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.

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

9. KIUC intends to play a constructive role in the Commission's decision-making process.
10. 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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