

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC JOINT APPLICATION OF)
LOUISVILLE GAS AND ELECTRIC COMPANY)
AND KENTUCKY UTILITIES COMPANY) CASE NO. 2018-00005
FOR CERTIFICATES OF PUBLIC CONVENIENCE)
AND NECESSITY FOR FULL DEPLOYMENT)
OF ADVANCED METERING SYSTEMS)

**COMMUNITY ACTION COUNCIL FOR LEXINGTON-FAYETTE, BOURBON,
HARRISON, AND NICHOLAS COUNTIES, INC.'S MOTION TO INTERVENE**

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Comes the Community Action Council for Lexington-Fayette, Bourbon, Harrison, and Nicholas Counties, Inc. (hereinafter "CAC"), by counsel, and pursuant to 807 KAR 5:001 Section 4(11) moves that it be granted leave to intervene in this matter and that it be granted full intervention. As grounds for this motion, CAC states as follows:

1. CAC, whose address is P.O. Box 11610, Lexington, KY 40576, is a non-profit, 501(c)(3), community action agency which provides social services, including energy assistance and related services, to many low income residents in the Kentucky Utilities Company (hereinafter "KU") service territory. CAC partners with KU in programs to assist its low income customers, including the WinterCare Energy Fund, KU's Home Energy Assistance (HEA) Program, and KU's WeCare.

2. Counsel for CAC is:

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Counsel is authorized to take service of all documents in this matter.

3. 807 KAR 8:001 Section 4(11) states that the Commission shall grant intervention if it finds that a timely motion has been made and that the movant has a “special interest in the case that is not otherwise adequately represented” or that 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.”

4. CAC has a special interest in this case. Intervention by CAC will present issues and develop facts that will assist the Commission in fully considering this matter without unduly complicating or disrupting the proceedings.

CAC was an intervening party in Kentucky Utilities Company’s 2016 rate case, 2016-00370. In that case, CAC joined in the settlement Stipulation that included withdrawing the Certificate of Public Convenience and Necessity for deployment of AMS. CAC also participated as a member of the AMS collaborative that was established after the rate case. In the last rate case and the collaborative, CAC has advocated for low income customers who do not have access to computers and reliable internet to be able to benefit from the AMS deployment, for safeguards in the automatic shutoffs, especially in regard to freezing temperatures and seniors, and for ways in which the AMS information can be accessible and relevant to low income customers.

In addition, CAC has intervened in many Kentucky Utilities Company’s rate, demand-side management, and Certificate of Public Convenience and Necessity cases before the Commission. In those cases, CAC has advocated for lower rates and programs that provide assistance for low-income customers and which encourage energy efficiency and conservation. CAC was also an intervening party in Cases 2008-00408 and 2012-00428. In those cases, CAC advocated for the low income community’s interest in the development of smart meters. These interests included beneficial use by the low income community in the development and

deployment of smart meters, safeguards for the low income community with the use of automatic shutoffs, and education and communication of information.

5. CAC's motion to intervene in this matter is timely.

6. Because CAC is the primary advocate for low income customers in KU's service area, it has a special interest in this proceeding and will provide a perspective which will not be presented by the other parties to this proceeding. CAC's interests are not adequately represented by the other parties to this proceeding. The Office of the Attorney General cannot adequately represent the subset of residential rate-payers that are low-income because the Attorney General's KRS 367.150(8) mandate is to represent consumers' interests, not a subset of consumers. The low income customers living at poverty level incomes make up just under 20% of all KU residential customers. The low income customers' interest differs from that of the interest of consumers generally, and the Attorney General cannot advocate the low income customers' interest specifically. Low income customers have a special interest in this proceeding because they do not have the technological resources to take advantage of the proposed AMS technology and do not have the financial means to make meaningful changes in their energy costs. Because low income customers will likely be paying more on their bills for the deployment of AMS at some point in the future, and do not have the technology and resources to benefit from the AMS technology, the low income community's unique interest needs to be represented in this case. Intervention in the Kentucky Utilities Company 2016 rate case, and participation in the AMS collaborative demonstrates CAC's special interest in this proceeding. Testimony that CAC may file in this proceeding will provide the low income community's unique perspective on AMS deployment, which the Office of the Attorney General cannot provide.

7. CAC will present issues and develop facts that will be helpful to the Commission in fully hearing this matter, and participation by CAC will not unduly delay these proceedings, or unduly complicate or disrupt them. CAC will accept and abide by the procedural schedule in this matter, including filing any testimony. No party will be prejudiced by CAC's intervention. Because of its unique position as the low income advocate in KU's service territory and its participation in the 2016 rate case and the AMS collaborative, CAC can and will present testimony that will assist the Commission on behalf of the low income population in the KU service area.

CAC expects to present the testimony of Malcolm J. Ratchford, Executive Director of CAC, and may choose to present testimony of other witnesses not yet identified.

WHEREFORE, CAC requests that it be granted leave for full intervention and that it be certified as a full party in this proceeding, including the right to present testimony and exhibits, present witnesses, cross-examine witnesses, and be served with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by the parties or orders of the Commission.

Respectfully submitted,



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COUNSEL FOR CAC

CERTIFICATE OF SERVICE

I hereby certify that CAC's January 23, 2018 electronic filing is a true and accurate copy of CAC's Motion to Intervene and Read 1st document to be filed in paper medium; that the electronic filing has been transmitted to the Commission on January 23, 2018 that an original and six copies of the filing will be delivered to the Commission on January 23, 2018; that there are currently no parties excused from participation by electronic service; and that, on January 23, 2018, electronic mail notification of the electronic filing is provided to the following:

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