

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF KENTUCKY)
UTILITIES COMPANY FOR AN ADJUSTMENT) CASE NO. 2018-00294
OF ITS ELECTRIC RATES)

**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.

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 and by electronic means.

3. 807 KAR 5:001 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’s motion to intervene in this matter is timely.

5. 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 KU’s 2016 rate case, 2016-00370; 2014 rate case, 2014-00371; 2012 rate case, 2012-00221; 2009 rate case, 2009-00548; and others. In these rate cases, CAC has represented the interests of the community of customers with low income, and has provided necessary testimony and facts to assist the Commission in fully considering the matters relating to the rate increase requests, and the effects of those rate increases on the community with low income.

CAC is uniquely situated in KU’s territory. Because CAC has many years of experience partnering with KU on assistance programs and because of its expertise in issues affecting the low income community, CAC has traditionally been the intervening party in KU’s rate cases which has provided testimony on the effects of rate increases on the community with low income and data relating to poverty in the service area. In these rate cases, CAC has continued to negotiate in good faith with KU and the other intervening parties to find areas of agreement and compromise and has supported the stipulations of agreement that have resulted.

In addition, CAC has been an intervening party in many other KU demand side management cases, certificate of public convenience and necessity cases, and most recently KU's Application for CPCN for deployment of Advanced Metering Systems, 2018-00005.

In all of the cases above, CAC has advocated for lower rates and programs that provide assistance for low-income customers and which encourage energy efficiency and conservation.

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, including the Office of the Attorney General. 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 subset of customers living at or below poverty level incomes make up just under 20% of all KU residential customers. The interest of customers with low income differs from that of the interest of consumers generally, and the Attorney General cannot advocate specifically for customers with low income. Customers with low income are a significant portion of the KU customer base, and need an advocate in this rate proceeding. Customers with low income have a special interest in this proceeding because any rate increase in their electric bills has a disproportionate negative impact to them. Many customers living at or below the poverty level are already unable to pay for necessities. Testimony that CAC will file in this proceeding will provide the low income community's unique perspective on the effects of KU's requested rate increase, one 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 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, CAC will present facts and data relating to county poverty rates, Low Income Home Energy Assistance Program (LIHEAP), HEA, and the adverse effects of this proposed rate increase to this group of customers, in order to assist the Commission in fully considering this rate request.

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 October 2, 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 October 2, 2018; that an original and copy of the filing will be delivered to the Commission on October 2, 2018; that there are currently no parties excused from participation by electronic service; and that, on October 2, 2018, electronic mail notification of the electronic filing is provided to the following:

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