

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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

**LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT’S
MOTION TO INTERVENE**

Lexington-Fayette Urban County Government (“LFUCG”), by counsel, hereby petitions the Kentucky Public Service Commission (“Commission”) pursuant to 807 KAR 5:001, Section 4(11) for intervention in the above-styled matter. In support of its motion, LFUCG states the following:

LFUCG is an urban county government established under KRS Chapter 67A. Its address is 200 East Main Street, Lexington, KY 40507.

The Commission has interpreted KRS 278.040(2) as requiring a person seeking intervention to 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. See Order, Kentucky Power Co., Case No. 2017-00179 (Ky. PSC June 19, 2017). LFUCG satisfies this requirement because it is a customer of Kentucky Utilities (“KU”). In the last fiscal year, LFUCG paid nearly \$12,000,000 to Kentucky Utilities for electrical service.

Administrative regulation 807 KAR 5:001, Section 4(11)(b) states:

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.

LFUCG meets both these criteria. LFUCG has special interests in KU's rate case that will not otherwise be adequately represented. First and foremost, as one of KU's largest customers that takes service from a variety of rate classifications, no other party could adequately represent the interests of LFUCG. Second, and relatedly, LFUCG is KU's largest customer of Outdoor Lighting classification. LFUCG pays more than \$6,000,000 to KU on outdoor-lighting rate codes. Third, LFUCG has KU accounts with unique energy usage patterns, such as stormwater pump stations. Stormwater pump stations may be designed for usage in extreme weather events and require energy at infrequent times possibly when KU is not at peak. Accordingly, these accounts are unfairly impacted by KU's demand ratchet. Fourth, KU proposes to amend its tariff related to Structure Attachment Charges – Rate PSA, including expanding the availability of the schedule to internal communication network facilities of governmental units. Ultimately, no other party could adequately represent the special interests of LFUCG, whether those the interests related to lighting, KU's demand ratchet, changes impacting governmental agencies related to pole attachments, or other issues affecting LFUCG.

LFUCG is also likely to present issues or develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings. In this particular case, LFUCG plans to address issues related to the issues mentioned above, including lighting, demand ratchet, and tariff changes to Rate PSA. It anticipates developing facts on the following additional issues: increase in Basic Service Charge, change from a monthly to daily Basic Service Charge, bifurcation of energy charges into infrastructure and variable categories, credits for late payment penalties, return on equity, and others.

LFUCG desires to play a constructive role in this matter and isolate issues that are most important to it. LFUCG's focus will serve to neither unduly complicate nor disrupt the proceeding. LFUCG believes that its prior involvement in other cases before the Commission demonstrates its productive standing in the process.

Attorneys for LFUCG listed below possess the facilities to receive electronic transmission of all notices and messages related to this proceeding at the electronic mailing addresses listed below. All correspondence to LFUCG should be sent to the attorneys' addresses or email addresses listed below.

Accordingly, because LFUCG has a special interest in this case that is not otherwise adequately represented and because it 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. LFUCG respectfully requests intervention in this proceeding

Respectfully submitted,



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CERTIFICATE OF SERVICE

In accordance with 807 KAR 5:001, Section 8, I certify that the October 26, 2018, electronic filing of this document is a true and accurate copy of the same document being filed in paper medium; that the electronic filing will be transmitted to the Commission on October 26, 2018; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; and that an original paper medium of the Petition for Confidential Treatment will be delivered to the Commission within two business days.



Counsel for LFUCG