

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

In The Matter Of: 2019 INTEGRATED RESOURCE PLAN OF : **Case No. 2019-00096**
EAST KENTUCKY POWER COOPERATIVE, INC. :

**MOTION TO INTERVENE OF
NUCOR STEEL GALLATIN**

Pursuant to 807 KAR 5:001, Section 4(11), KRS 278.310, and KRS 278.040(2), Nucor Steel Gallatin (“Nucor”) 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. Nucor is the largest end-use customer located in the Owen Electric Cooperative (“Owen”) service territory. Owen is in turn provided with generation and transmission (“G&T”) service by East Kentucky Power Cooperative, Inc. (“EKPC” or “Company”).

4. On April 1, 2009, pursuant to the Commission’s rules, EKPC submitted its 2019 Integrated Resource Plan (“IRP”), which outlines the Company’s historic and projected resource needs and explains how EKPC intends to satisfy those needs over the next fifteen years. The IRP process generally involves consideration of both supply-side resources, such a building new capacity or market purchases, and demand-side resources, such as energy efficiency measures, as a means of satisfying the Company’s projected peak load requirements.

5. As a customer responsible for paying EKPC's G&T costs, which may ultimately increase as a result of any approved Company IRP, Nucor has a substantial interest in this proceeding. Moreover, potential PJM market rule changes currently under consideration at the Federal Energy Regulatory Commission may impact EKPC's future resource planning decisions.¹ Given that those changes may impact EKPC's planning decisions, it is important that the interests of large energy-intensive customers are represented in this proceeding.

6. The matters being decided by the Commission in this case may have a significant impact on the rates paid by Nucor for electricity. Electricity represents a significant cost of doing business for Nucor. The attorneys for Nucor authorized to represent them in this proceeding and to take service of all documents are:

Michael L. Kurtz, Esq.
Jody Kyler Cohn, Esq.
BOEHM, KURTZ & LOWRY
36 East Seventh Street, Suite 1510
Cincinnati, Ohio 45202
Ph: (513) 421-2255, Fax: (513) 421-2764
E-Mail: mkurtz@bkllawfirm.com
jkylercohn@bkllawfirm.com

7. Nucor has filed a timely motion to intervene in this proceeding.

8. Nucor's 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, Nucor's interest is exclusively related to a large energy-intensive industrial customer.

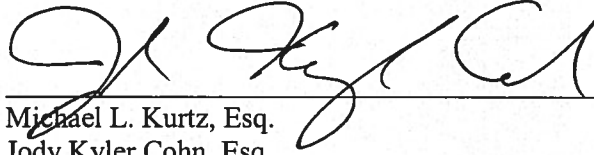
9. The position of Nucor cannot be adequately represented by any existing party. Further, Nucor intends to play a constructive role in the Commission's decision-making process.

¹ Capacity Repricing or in the Alternative MOPR-Ex Proposal: Tariff Revision to Address Impacts of State Public Policies on the PJM Capacity Market, FERC Docket No. ER18-1314 (April 9, 2018); Order Rejecting Proposed Tariff Revisions, Granting in Part and Denying in Part Complaint, and Instituting Proceeding Under Section 206 of the Federal Power Act, Docket Nos. EL18-187 *et al.*, (June 29, 2018).

10. Nucor's intervention will not unduly complicate or disrupt the proceedings.

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

Respectfully submitted,



Michael L. Kurtz, Esq.

Jody Kyler Cohn, Esq.

BOEHM, KURTZ & LOWRY

36 East Seventh Street, Suite 1510

Cincinnati, Ohio 45202

513.421.2255 Fax: 513.421.2764

E: mail: mkurtz@BKLawfirm.com

jkylercohn@BKLawfirm.com

COUNSEL FOR NUCOR STEEL GALLATIN

April 9, 2019