

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

**In the Matter of:**

**ELECTRONIC APPLICATION OF DUKE ENERGY )  
KENTUCKY, INC. FOR: 1) AN ADJUSTMENT OF )  
THE ELECTRIC RATES; 2) APPROVAL OF NEW )  
TARIFFS; 3) APPROVAL OF ACCOUNTING TO )      **CASE NO. 2019-00271**  
ESTABLISH REGULATORY ASSETS AND )  
LIABILITIES; AND 4) ALL OTHER REQUIRED )  
APPROVALS AND RELIEF )**

**PETITION FOR FULL INTERVENTION BY NORTHERN KENTUCKY  
UNIVERSITY**

Pursuant to 807 KAR 5:001, Section 4(11), KRS 278.310, and KRS 278.040(2), Northern Kentucky University (“Northern Kentucky University” or “NKU”) requests that it be granted full intervenor status in the above captioned proceeding and states in support thereof the following:

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 leave to intervene if the Commission finds 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 develop facts that assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings.
3. NKU has timely filed its motion to intervene in this proceeding.
4. NKU has a special and vital interest in the outcome of this proceeding which cannot be adequately represented by any other party. As a commercial customer of Duke purchasing substantial annual amounts of electricity, NKU has a direct, immediate and substantial interest in the subject matter in this proceeding. While the Attorney General's Office of Rate Intervention is statutorily charged with representing the interests of "consumers" under KRS 367.150(8), that duty relates primarily to residential consumers in its historical application. In stark contrast, NKU's interest is exclusively related to rates DT and DS and with unique customer characteristics as described below.
5. Specifically, NKU is a non-profit, state owned university, the funding of which is derived from the tuition it charges, stated budgeted tax dollars and alumni contributions. Moreover, no other public university has intervened in this matter to represent the unique interests of a public university within the commercial class.

6. Furthermore, NKU owns 148 buildings which serve to educate, house or otherwise address the needs of more than 14,000 students throughout the calendar year while employing approximately 2,000 faculty and staff. In sum, NKU has a load profile that is likely unique to no other Duke customer, consisting of 35 meters at one campus location. No other party can adequately represent the special interests of NKU.
7. Given its substantial energy costs which are in turn passed along to its students through tuition, room and board fees, NKU is actively engaged in its energy management. In particular, NKU is engaged in its second energy savings performance contract and completed a comprehensive technical energy audit in 2017. As a result NKU is undertaking various energy cost saving measures to be completed by early 2020 as part of its sustainability strategy. NKU has joined Cincinnati 2030 District to further these efforts and has tasked three individuals with responsibility and oversight for sustainability and energy management to maximize NKU's potential energy savings, or stated differently, mitigate its energy costs.
8. In this proceeding, NKU expects to develop the record on cost-of-service allocations, relative rates of return for rate classifications, and rate design in general. In fact, an expert has been engaged to assist NKU in developing the record on the aforementioned issues.

9. NKU actively participated in DEK's last electric general rate adjustment case, Case No. 2017-00321, by engaging in extensive discovery and settlement discussions, examination at the hearing by way of cross as well as direct, and the filing of a post-hearing brief.
10. NKU's intervention is likely to present issues or develop facts that will assist the Commission in fully considering the matters at hand. NKU fully intends to participate in this matter with its own in-house expertise as well with the engagement of an expert.
11. NKU offers to play a constructive role in the Commission's decision making process without unduly complicating or disrupting the proceedings.
12. The Attorney General's Office has authorized the undersigned to state that the Attorney General's Office will remain neutral on this Petition for Intervention.
13. The attorney for NKU authorized to represent it in this proceeding and to take service of all documents is:

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WHEREFORE, Northern Kentucky University respectfully requests that it be granted full intervenor status in the above captioned proceeding because NKU has a special interest not otherwise adequately represented and because it is likely to present issues or develop facts which will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings.

Respectfully submitted,



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**COUNSEL FOR NORTHERN KENTUCKY  
UNIVERSITY**

#### CERTIFICATE OF SERVICE

I certify that the attached Petition for Full Intervention is a true and accurate copy of the document being filed with the Commission in paper medium; that the electronic filing was transmitted to the Commission on September 26, 2019; that there are no parties that the Commission has excused from participation by electronic means in this proceeding; and that an original and one copy of the filing in paper medium are being delivered to the Commission within two (2) business days.



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Dennis G. Howard, II