

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

In the Matter of: The Electronic Application of)
Duke Energy Kentucky, Inc., for: 1) An)
Adjustment of the Electric Rates; 2) Approval) Case No. 2019-00271
of New Tariffs; 3) Approval of Accounting)
Practices to Establish Regulatory Assets and)
Liabilities; and 4) All Other Required)
Approvals and Relief.

**THE KROGER CO'S RESPONSES TO
DUKE ENERGY KENTUCKY, INC.'S FIRST SET OF INTERROGATORIES
AND REQUESTS FOR PRODUCTION OF DOCUMENTS**

1. Other than Mr. Bieber, please identify any persons, including experts whom Kroger has consulted, retained, or consulted with regard to evaluating the Company's Application in this proceeding.

RESPONSE: Kroger objects to this Request for Information on the grounds that it seeks information that is protected by the attorney work product and/or attorney-client privileges. Without waiving such objections, Kroger has not retained other consultants with regard to evaluating the Company's Application in this proceeding.

2. For each person identified in (prior) response to Interrogatory No. 1 above, please state (1) the subject matter of the discussions/consultations/evaluations; (2) the written opinions of such persons regarding the Company's Application; (3) the facts to which each person relied upon; and (4) a summary of the person's qualifications to render such discussions/consultations/evaluations.

RESPONSE: Please see Kroger Response to Request for Information No. 1.

3. For each person identified in response to Interrogatory No. 1 above, please identify all proceedings in all jurisdictions in which the witness/persons has offered evidence, including but not limited to, pre-filed testimony, sworn statements, and live testimony. For each response, please provide the following:
 - (a) the jurisdiction in which the testimony or statement was pre-filed, offered, given, or admitted into the record;
 - (b) the administrative agency and/or court in which the testimony or statement

- was pre-filed, offered, admitted, or given;
- (c) the date(s) the testimony or statement was pre-filed, offered, admitted, or given;
- (d) the identifying number for the case or proceeding in which the testimony or statement was pre-filed, offered, admitted, or given; and
- (e) whether the person was cross-examined.

RESPONSE: Please see Kroger Response to Request for Information No. 1.

4. Identify and provide all documents or other evidence that Kroger may seek to introduce as exhibits or for purposes of witness examination in the above-captioned matter.

RESPONSE: Kroger objects to this Request for Information on the grounds that it seeks information that is protected by the attorney work product privilege. Without waiving such objection, Kroger has not yet made determinations as to the cross-examination exhibits it may introduce in the above-captioned matter.

5. Please identify all proceedings in all jurisdictions in the last three years in which Mr. Bieber has offered evidence, including but not limited to, pre-filed testimony, sworn statements, and live testimony and analysis. For each response, please provide the following:
- (a) the jurisdiction in which the testimony, statement or analysis was pre-filed, offered, given, or admitted into the record;
 - (b) the administrative agency and/or court in which the testimony, statement or analysis was pre-filed, offered, admitted, or given;
 - (c) the date(s) the testimony, statement or analysis was pre-filed, offered, admitted, or given;
 - (d) the identifying number for the case or proceeding in which the testimony, statement or analysis was pre-filed, offered, admitted, or given;
 - (e) whether the witness was cross-examined;
 - (f) the custodian of the transcripts and pre-filed testimony, statements or analysis for each proceeding; and
 - (g) copies of all such testimony, statements or analysis.
 - (g) copies of all such testimony, statements or analysis.

RESPONSE: Mr. Bieber's CV as of January 14, 2020 is attached. Mr. Bieber does not maintain records concerning the identity of the custodian of transcripts and pre-filed testimony, statements or analysis for each proceeding. Copies of testimony filed in state commission proceedings can generally be found on the websites maintained by those commissions.

6. Please provide copies of any and all documents, analysis, summaries, white papers, work papers, spreadsheets (electronic versions with cells intact), including drafts thereof, as well as any underlying supporting materials created by Mr. Bieber as part of his evaluation of the Company's Application or used in the creation of Mr. Bieber's testimony.

RESPONSE: Mr. Bieber's workpaper, Kroger Ex. JDB-1 WP-Revenue Allocation Example_Case No. 2019-00271 is attached. Mr. Bieber created Figure JDB-1, Figure JDB-2, and the East Bend Hourly Gen Analysis workpaper, which are attached.

7. Please provide copies of any and all documents not created by Mr. Bieber, including but not limited to, analysis, summaries, cases, reports, evaluations, *etc.*, that Mr. Bieber relied upon, referred to, or used in the development of his testimony.

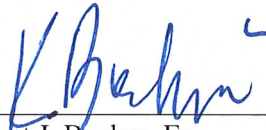
RESPONSE: Mr. Bieber relied upon the Company's filing and his own work papers in this case. Mr. Bieber also relied on the attached East Bend Unit Hourly Operations data from S&P Global Market Intelligence, SNL Energy Data.

8. Please provide any and all studies, analysis, and presentations that Mr. Bieber has created or publicly made within the last three years that involve utility regulation, rate-making, cost of service, or use of riders that are discussed in Mr. Bieber's testimony.

RESPONSE: Please see Kroger Response to Request for Information No. 5.

9. Please confirm that Mr. Bieber is not a Certified Public Accountant.

RESPONSE: Mr. Bieber is not a Certified Public Accountant.



Kurt J. Boehm, Esq.

BOEHM, KURTZ & LOWRY

36 East Seventh Street, Suite 1510

Cincinnati, Ohio 45202

Ph: 513.421.2255 Fax: 513.421.2764

kboehm@bkllawfirm.com

COUNSEL FOR THE KROGER CO.

January 16, 2020-

ATTACHMENTS

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Justin Bieber CV_01-14-2020.pdf

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Resume

Justin Bieber
Energy Strategies, LLC
215 S. State Street, Suite 200
Salt Lake City, Utah 84111

Work Experience:

Senior Consultant, Energy Strategies, LLC (2017 – Present).

Manager, Transmission Project Development, Pacific Gas & Electric Co. (2015-2016).

Principal, ISO Relations and FERC Policy, Pacific Gas & Electric Co. (2014-2015)

Supervisor, of Electric Generator Interconnections, Pacific Gas & Electric Co. (2012-2014).

Project Manager/Engineer, Nehemiah Construction, Inc. (2006-2010).

Education:

University of Southern California, Marshall School of Business, Master of Business Administration, 2012.

Duke University, Pratt School of Engineering, Bachelor of Science in Mechanical Engineering, 2006.

Professional License:

Registered Professional Civil Engineer in the state of California.

Regulatory Testimony

State of Colorado

<u>Proceeding #</u>	<u>Title</u>	<u>Activity</u>
18A-0905E	In the matter of the Application of Public Service Company of Colorado for approval of the 500 MW Cheyenne ridge wind project, a Certificate of Public Convenience and Necessity for the Cheyenne Ridge Wind Farm, and a Certificate of Public Convenience and Necessity for the 345 kV Generation Tie Line and associated findings of noise and magnetic field reasonableness.	Answer Testimony, Feb. 22, 2019

State of Indiana

<u>Cause #</u>	<u>Title</u>	<u>Activity</u>
44967	Petition of Indiana Michigan Power Company, an Indiana corporation, for authority to increase its rates and charges for electric utility service, for approval of: revised depreciation rates; accounting relief; inclusion in basic rates and charges of the costs of qualified pollution control property; modifications to rate adjustment mechanisms; and major storm reserve; and for approval of new schedules of rates, rules and regulations.	Direct Testimony, Nov. 7, 2017 Cross-Answer Testimony, Dec. 6, 2017
45235	Petition of Indiana Michigan Power Company, an Indiana Corporation, for authority to increase its rates and charges for electric utility service, through a phase in rate adjustment; and for approval of related relief including: (1) revised depreciation rates; (2) accounting relief; (3) inclusion in rate base of qualified pollution control property and clean energy project; (4) enhancements to the dry sorbent injection system; (5) advanced metering infrastructure; (6) rate adjustment mechanism proposals; and (7) new schedules of rates, rules and regulations.	Direct Testimony, Aug. 20, 2019 Cross-Answer Testimony, Sep. 17, 2019

45253	Petition of Duke Energy Indiana, LLC pursuant to Ind. Code §§ 8-1-2-42.7 and 8-1-2-61, for (1) authority to modify its rates and charges for electric utility service through a step-in of new rates and charges using a forecasted test period; (2) approval of new schedules of rates and charges, general rules and regulations, and riders; (3) approval of a federal mandate certificate under ind. Code § 8-1-8.4-1; (4) approval of revised electric depreciation rates applicable to its electric plant in service; (5) approval of necessary and appropriate accounting deferral relief; and (6) approval of a revenue decoupling mechanism for certain customer classes	Direct Testimony, Oct. 30, 2019 Cross-Answer Testimony, Dec. 4, 2019
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State of Kentucky

<u>Docket #</u>	<u>Title</u>	<u>Activity</u>
2017-00321	In the matter of Application of Duke Energy Kentucky, Inc. For: 1) an adjustment of the electric rates; 2) approval of an environmental compliance plan and surcharge mechanism; 3) approval of accounting practices to establish regulatory assets and liabilities, and 5) all other required approvals and relief.	Direct Testimony, Dec. 29, 2017 Cross Examined, Mar. 8, 2018
2018-00294	Application of Kentucky Utilities Company for an Adjustment of its Rates	Direct Testimony, Jan. 16, 2019
2018-00295	Application of Louisville Gas and Electric Company for an Adjustment of its Electric and Gas Rates	Direct Testimony, Jan. 16, 2019
2019-00271	The Electronic Application of Duke Energy Kentucky, Inc., for: 1) An Adjustment of the Electric Rates; 2) Approval of New Tariffs; 3) Approval of Accounting Practices to Establish Regulatory Assets and Liabilities; and 4) All Other Required Approvals and Relief.	Direct Testimony, Dec. 13, 2019

State of Michigan

<u>Docket #</u>	<u>Title</u>	<u>Activity</u>
U-20134	In the Matter of the Application of Consumers Energy Company for Authority to Increase its Rates for the Generation and Distribution of Electricity and for Other Relief.	Direct Testimony, Sept. 10, 2018 Rebuttal Testimony, Oct. 1, 2018
U-20162	In the Matter of the Application of DTE Electric Company for Authority to Increase its Rates for the Generation and Distribution of Electricity and for Other Relief.	Direct Testimony, Nov. 7, 2018 Rebuttal Testimony, Nov. 28, 2018
U-20561	In the matter of the Application of DTE ELECTRIC COMPANY for authority to increase its rates, amend its rate schedules and rules governing the distribution and supply of electric energy, and for miscellaneous accounting authority.	Direct Testimony, Nov. 6, 2019 Rebuttal Testimony, Dec. 2, 2019 Cross-Examined Dec. 19, 2019

State of Montana

<u>Docket #</u>	<u>Title</u>	<u>Activity</u>
D2019.2.8	Grizzly Wind, LLC Petition to Set Terms and Conditions of Qualifying Small Power Production Facility Pursuant to MCA S 69-3-603	Rebuttal Testimony, May 23, 2019 Cross-Examined, Jun 12, 2019
D2019.2.9	Black Bear Wind, LLC Petition to Set Terms and Conditions of Qualifying Small Power Production Facility Pursuant to MCA S 69-3-603	Rebuttal Testimony, May 29, 2019 Cross-Examined, Jun 12, 2019

State of North Carolina

<u>Docket #</u>	<u>Title</u>	<u>Activity</u>
E-2, Sub 1142	Application of Duke Energy Progress, LLC, for Adjustment of Rates and Charges Applicable to Electric Utility Service in North Carolina	Direct Testimony, Sept. 22, 2017

State of Ohio

<u>Docket #</u>	<u>Title</u>	<u>Activity</u>
18-501-EL-FOR	In the Matter of the Long-Term Forecast Report of Ohio Power Company and Related Matters	Direct Testimony, Jan. 2, 2019
18-1392-EL-RDR	In the Matter of the Application Seeking Approval of Ohio Power Company's Proposal to Enter into Renewable Energy	Cross Examined, Jan. 25, 2019
18-1393-EL-ATA	Purchase Agreements for Inclusion in the Renewable Generation Rider In the Matter of the Application of Ohio Power Company to Amend its Tariffs	

State of Oregon

<u>Docket #</u>	<u>Title</u>	<u>Activity</u>
UE 335	Portland General Electric Company request for General Rate Revision	Direct Testimony, June 6, 2018 Settlement Testimony, August 16, August 20, August 29, Sept. 14, Sept. 17, 2018

State of Utah

<u>Docket #</u>	<u>Title</u>	<u>Activity</u>
19-057-13	In the Matter of the Request of Dominion Energy Utah for Approval of a Voluntary Resource Decision to Construct an LNG Facility	Rebuttal Testimony, Sep. 12, 2019 Cross Examined, Sep. 27, 2019

State of Wisconsin

<u>Docket #</u>	<u>Title</u>	<u>Activity</u>
5-UR-109	Joint Application of Wisconsin Electric Power Company and Wisconsin Gas LLC for authority to adjust electric, natural gas and steam rates - test year 2020	Direct Testimony, Aug. 23, 2019 Supplemental Testimony, Sep. 24, 2019

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Figure JDB-1.xlsx

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Month	Monthly System Peak
Jan	768
Feb	634
Mar	632
Apr	612
May	734
Jun	819
Jul	808
Aug	787
Sep	799
Oct	758
Nov	632
Dec	630

Total 8613

Monthly System Peak (MW)



Data Source: STAFF-DR-01-055_Attachment_-_DEK_Electric_COSS_2019_Macros_Disabled, WP FR-16(7)(v) CP NCP sum, column 20



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Figure JDB-2 and East Bend Hourly Gen Analysis WP.xls

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East Bend | Unit Hourly Operations (Chart)

Periods From: 01/01/2018 To: 12/31/2018

East Bend ST 2 - Gross Generation (MWh)



Figure JDB-2



This data is from EPA's Continuous Emissions Monitoring System (CEMS).
Hourly data is reported as hour beginning.

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East Bend Unit Hourly Operations 2018 from SP Global
Market Intelligence.xls

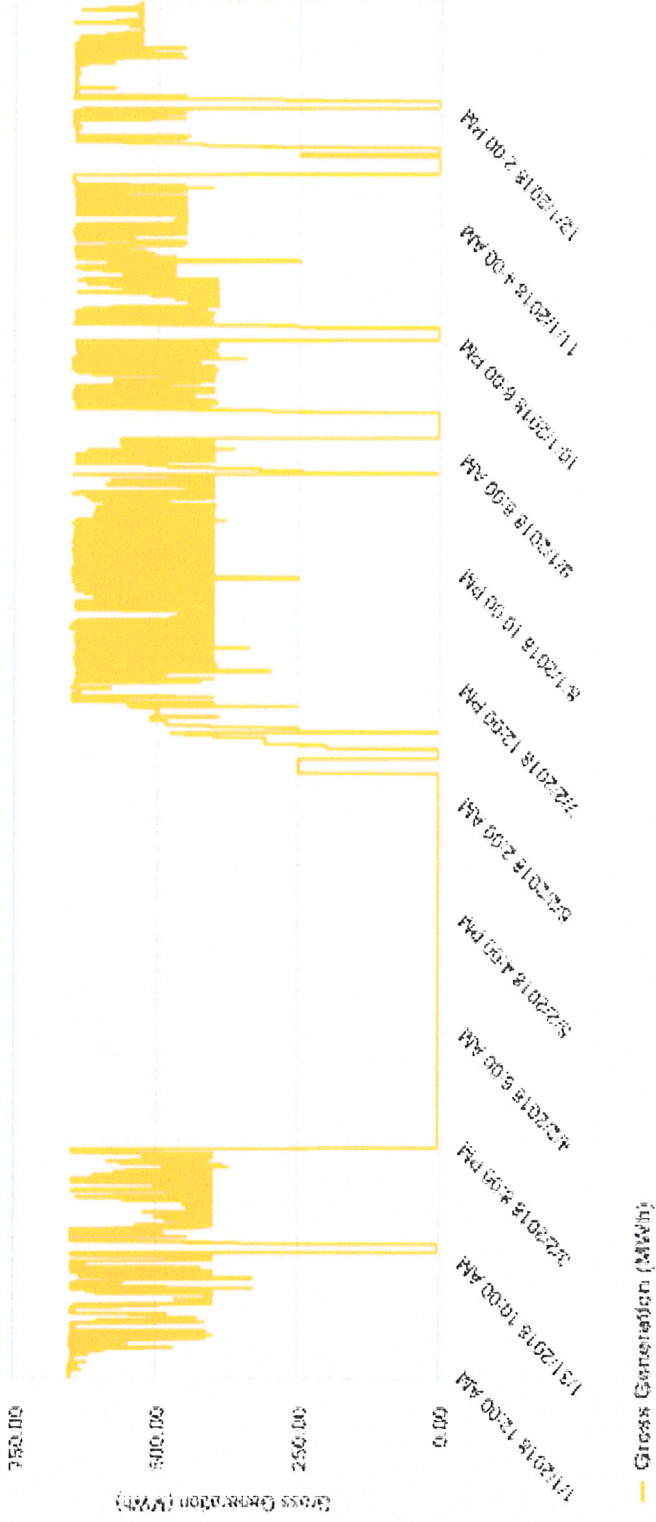
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East Bend | Unit Hourly Operations (Chart)

Periods From: 01/01/2018 To: 12/31/2018

East Bend ST 2 - Gross Generation (MWh)



This data is from EPA's Continuous Emissions Monitoring System (CEMS).
Hourly data is reported as hour beginning.