

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

**In the Matter of: Electronic Joint Application of Big            )**  
**Rivers Electric Corporation and Meade County Rural        )**  
**Electric Cooperative Corporation for (1) Approval of        )** **Case No. 2019-00365**  
**Contracts for Electric Service with Nucor Corporation;    )**  
**and (2) Approval of Tariff    )**

**MOTION TO INTERVENE OF NUCOR CORPORATION**

Pursuant to 807 KAR 5:001, Section 4(11) and KRS 278.040, Nucor Corporation (“Nucor”) requests that it be granted full intervenor status in the above-captioned proceeding and states in support thereof as follows:

1. Nucor is a corporation organized and existing under the laws of the State of Delaware, headquartered in North Carolina with the following address: 1915 Rexford Road, Charlotte, NC 28211. It can be reached by email for the purposes of this case through its undersigned counsel.

2. 807 KAR 5:001, Section 4(11)(a) requires that a person requesting permissive intervention in a Commission proceeding 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.

3. 807 KAR 5:001, Section 4(11)(b) provides that the Commission shall grant leave to intervene if the Commission finds that the person has made a timely motion for intervention and that said person has a special interest in the case that is not otherwise adequately represented or that their 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. KRS 278.040(2) requires that a person seeking intervention must 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.

5. Nucor is the largest steel producer in the United States with facilities located throughout the country. In January 2019, Nucor announced that it was considering investing approximately \$1.35 billion to build a state-of-the-art 1.5 million square foot plate mill (the "Facility") on the Buttermilk Falls Site in Brandenburg, Kentucky, with the Facility expected to consume millions of kilowatt-hours of electricity on an annual basis. Big Rivers Electric Corporation ("Big Rivers"), Meade County Rural Electric Cooperative Corporation ("Meade"), and Nucor engaged in a series of discussions regarding the electric power supply for the contemplated Facility, culminating in the proposed special contracts for retail electric service that are the subject of this proceeding.

6. This motion to intervene is timely filed pursuant to the Commission's October 30, 2019 Order in this proceeding.

7. As a party to the proposed special contracts at issue, Nucor has a unique interest in this proceeding that cannot be adequately represented by any other party. For the same reasons, Nucor will be able to present issues or develop facts that would assist the Commission without unduly complicating or disrupting the proceeding. Accordingly, it meets the standard for intervention set forth in 807 KAR 5:001, Section 4(11)(b).

8. Likewise, because Nucor is a party to the proposed special contracts, it will be subject to the rates approved for service by this Commission. Accordingly, Nucor has an interest in the rates and service of a utility, as contemplated by KRS 278.040(2).

9. The Commission has previously granted intervention to similarly situated entities. For example, Century Aluminum Company was granted intervention in a proceeding in which Big Rivers Electrical Corporation and Kenergy Corporation sought Commission approval of special contracts involving Century Aluminum. *See In re Joint Application of Kenergy Corp. and Big Rivers Electrical Corporation for Approval of Contracts and for a Declaratory Order*, Case No. 2013-00221 (Ky. PSC June 21, 2013). Nucor should be treated similarly and permitted intervention in the present matter.

10. Please provide service of all documents in this proceeding to the following:

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

Respectfully submitted,



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**COUNSEL FOR NUCOR CORPORATION**

CERTIFICATE OF SERVICE

In accordance with 807 KAR 5:001, Section 8, I certify that the November 15, 2019, 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 November 15, 2019; 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 document will be delivered to the Commission within two business days.



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Counsel for the Nucor