

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF DUKE ENERGY)
KENTUCKY, INC. TO AMEND ITS) Case No.
DEMAND SIDE MANAGEMENT PROGRAMS) 2020-00266

ATTORNEY GENERAL'S INITIAL DATA REQUESTS

The intervenor, the Attorney General of the Commonwealth of Kentucky, by and through his Office of Rate Intervention, hereby submits the following Initial Data Requests to Duke Energy Kentucky, Inc. [hereinafter "DEK" or "the Company"] to be answered by the date specified in the Commission's Orders of Procedure, and in accord with the following:

- (1) In each case where a request seeks data provided in response to a staff request, reference to the appropriate request item will be deemed a satisfactory response.
- (2) Identify the witness who will be prepared to answer questions concerning each request.
- (3) Repeat the question to which each response is intended to refer. The Office of the Attorney General can provide counsel for DEK with an electronic version of these questions, upon request.
- (4) These requests shall be deemed continuing so as to require further and supplemental responses if the company receives or generates additional information within the scope of these requests between the time of the response and the time of any hearing conducted hereon.
- (5) Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

(6) If you believe any request appears confusing, request clarification directly from Counsel for the Office of Attorney General.

(7) To the extent that the specific document, workpaper or information as requested does not exist, but a similar document, workpaper or information does exist, provide the similar document, workpaper, or information.

(8) To the extent that any request may be answered by way of a computer printout, identify each variable contained in the printout which would not be self-evident to a person not familiar with the printout.

(9) If the company has objections to any request on the grounds that the requested information is proprietary in nature, or for any other reason, notify the Office of the Attorney General as soon as possible.

(10) As used herein, the words “document” or “documents” are to be construed broadly and shall mean the original of the same (and all non-identical copies or drafts thereof) and if the original is not available, the best copy available. These terms shall include all information recorded in any written, graphic or other tangible form and shall include, without limiting the generality of the foregoing, all reports; memoranda; books or notebooks; written or recorded statements, interviews, affidavits and depositions; all letters or correspondence; telegrams, cables and telex messages; contracts, leases, insurance policies or other agreements; warnings and caution/hazard notices or labels; mechanical and electronic recordings and all information so stored, or transcripts of such recordings; calendars, appointment books, schedules, agendas and diary entries; notes or memoranda of conversations (telephonic or otherwise), meetings or conferences; legal pleadings and transcripts of legal proceedings; maps, models, charts, diagrams, graphs and other demonstrative materials; financial

statements, annual reports, balance sheets and other accounting records; quotations or offers; bulletins, newsletters, pamphlets, brochures and all other similar publications; summaries or compilations of data; deeds, titles, or other instruments of ownership; blueprints and specifications; manuals, guidelines, regulations, procedures, policies and instructional materials of any type; photographs or pictures, film, microfilm and microfiche; videotapes; articles; announcements and notices of any type; surveys, studies, evaluations, tests and all research and development (R&D) materials; newspaper clippings and press releases; time cards, employee schedules or rosters, and other payroll records; cancelled checks, invoices, bills and receipts; and writings of any kind and all other tangible things upon which any handwriting, typing, printing, drawings, representations, graphic matter, magnetic or electrical impulses, or other forms of communication are recorded or produced, including audio and video recordings, computer stored information (whether or not in printout form), computer-readable media or other electronically maintained or transmitted information regardless of the media or format in which they are stored, and all other rough drafts, revised drafts (including all handwritten notes or other marks on the same) and copies of documents as hereinbefore defined by whatever means made.

(11) For any document withheld on the basis of privilege, state the following: date; author; addressee; indicated or blind copies; all persons to whom distributed, shown, or explained; and, the nature and legal basis for the privilege asserted.

(12) In the event any document called for has been destroyed or transferred beyond the control of the company, state: the identity of the person by whom it was destroyed or transferred, and the person authorizing the destruction or transfer; the time, place, and

method of destruction or transfer; and, the reason(s) for its destruction or transfer. If destroyed or disposed of by operation of a retention policy, state the retention policy.

(13) Provide written responses, together with any and all exhibits pertaining thereto, in one or more bound volumes, separately indexed and tabbed by each response, in compliance with Kentucky Public Service Commission Regulations.

(14) “And” and “or” should be considered to be both conjunctive and disjunctive, unless specifically stated otherwise.

(15) “Each” and “any” should be considered to be both singular and plural, unless specifically stated otherwise.

Respectfully submitted,
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ATTORNEY GENERAL



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Certificate of Service and Filing

Pursuant to the Commission's Orders dated March 16, 2020 and March 24, 2020 in Case No. 2020-00085, and in accord with all other applicable law, Counsel certifies that an electronic copy of the forgoing was served and filed by e-mail to the parties of record. Further, the Attorney General will submit the paper originals of the foregoing to the Commission within 30 days after the Governor lifts the current state of emergency.

This 28th day of September, 2020



Assistant Attorney General

The Application of Duke Energy Kentucky, Inc. to Amend its
Demand Side Management Programs
Case No. 2020-00266
Attorney General's Initial Data Requests

1. Explain why DEK is proposing the changes set forth in this application, and explain how they will benefit ratepayers. If the proposed changes were not made, explain any potential negative impacts to ratepayers.
2. Confirm that DEK's application in Case No. 2019-00406 referred to the Home Energy House Call program as being part of what was then known as "Program 3: Residential Energy Assessments Program."
 - a. Reference the application in the instant case, page 3. Explain why the Home Energy House Call program is not included within the list of DSM programs set forth therein, nor is it included in Appendices A and B. If it is a subpart of another program, or if the program has been re-named, identify that program.
 - b. Identify the program in which the cost effectiveness test results for the Home Energy House Call program can be found in Appendix A.
 - c. If the Home Energy House Call program is a subpart of the Residential Energy Assessments Program: (i) identify the other program components in the Residential Energy Assessments Program; (ii) provide a breakout of the cost effectiveness test results for the Home Energy House Call program, and all other program components of the Residential Energy Assessments Program.
3. Reference the application at pp. 4-5. Provide the California Test scores for each of the proposed enhancements to the Home Energy House Call program.
4. Reference the application, numerical paragraph 9, referring to the Peak Time Rebate program ("PTR," branded to customers as the Peak Time Credits program). Confirm that the PTR program has in fact launched. If so confirmed, explain the measures undertaken to date, together with the remaining projected measures, including estimated dates for deploying those measures.
 - a. Explain whether the nearly seven-month delay in implementing the program will impact DEK's ability to recruit the goal of 1,000 participants, and if so, explain how.
 - b. Confirm that the two-year pilot program will not cease prior to August of 2022, and that, pursuant to the Commission's final order in Case No. 2019-00277, pp. 5-6, the pilot will continue until DEK files its EM&V report and a request with the Commission to either terminate or continue the program with or without modifications.

- c. Given that the PTR program is designed primarily to reduce summertime peak usage, and despite the fact of the nearly seven-month delay in implementing the program, can the Company confirm that the two-year pilot will be in effect for two summers and at least one winter?
5. Reference the Commission's final order in Case No. 2019-00277, p. 7, wherein it is stated that customers with a deferred payment plan will not be eligible to participate in the PTR. Explain whether DEK will allow customers who have deferred payment plans as a result of the moratorium on disconnections as set forth in Case No. 2020-00085 to participate in the PTR program.
6. Reference the Commission's final order in Case No. 2019-00277, the attached Joint Stipulation and Recommendation ("Stipulation") at p. 4, paragraph (d)(iii), which provides: "Duke Energy Kentucky agrees to use its best efforts to include the year 1 results of the pilot program into the PJM load forecast. Depending upon timing of approval of the pilot, if the Company is able to implement the PTR pilot in time for summer 2020, Duke Energy Kentucky will attempt to have PJM include such results in PJM's final load forecast for the 2021/2022 delivery year, assuming PJM accepts it."
 - a. Explain whether the nearly seven month delay in implementing the PTR pilot program will affect this commitment, and any other commitment set forth in the Stipulation, and if so, how.
7. Reference the Commission's final order in Case No. 2019-00277, the attached Joint Stipulation and Recommendation at pp. 4-5, paragraphs 2 (d) – (e). Additionally, refer generally to the recently-issued FERC Order 2222 ("FERC Order"). Provide a discussion regarding whether the FERC Order could help DEK meet the goal set forth in pp. 4-5 of the Joint Stipulation and Recommendation in Case No. 2019-00277 by, *inter alia*, potentially allowing DEK to aggregate the conservation achieved under the PTR program either as demand response, peak shaving adjustment, and/or price responsive demand together with other market participants.