

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

In the Matter of:

ELECTRONIC 2020 INTEGRATED)	CASE NO.
RESOURCE PLAN OF BIG RIVERS)	2020-00299
ELECTRIC CORPORATION)	

SIERRA CLUB’S SUPPLEMENTAL REQUESTS FOR INFORMATION

Pursuant to the Kentucky Public Service Commission’s (“Commission”) January 12, 2021, Order (“Scheduling Order”), Sierra Club hereby propounds the following supplemental data requests on Big Rivers Electric Corporation (“Big Rivers” or the “Company”) in the above-captioned proceeding.

The Company shall answer these data requests in the manner set forth in the Scheduling Order, by no later than May 11, 2021. Please produce the requested information—in electronic format, whenever possible—to:

Matthew E. Miller
2528 California Street
Denver, CO 80205
Email: matthew.miller@sierraclub.org

If a response to a request consists of a statement that the requested information is already available to Sierra Club, provide a detailed citation to the document that contains the information. This citation shall include the title of the document, relevant page number(s), and to the extent possible paragraph number(s) and/or chart(s)/table(s)/figure number(s).

In the event that any document referred to in response to any request for information has been destroyed, specify the date and the manner of such destruction, the reason for such destruction, the person authorizing the destruction and the custodian of the document at the time of its destruction.

Sierra Club reserves the right to serve supplemental, revised, or additional discovery requests as permitted in this proceeding.

DEFINITIONS

Unless otherwise specified in each individual interrogatory or request, “you,” “your,” the “Company,” or “Big Rivers,” refers to Big Rivers Electric Corporation, and its affiliates, officers, directors, employees, and agents.

“And” and “or” shall be construed either conjunctively or disjunctively as required by the context to bring within the scope of these interrogatories and requests for production of documents any information which might be deemed outside their scope by another construction.

“Any” means all or each and every example of the requested information.

“Communication” means any transmission or exchange of information between two or more persons, whether orally or in writing, and includes, without limitation, any conversation or discussion by means of letter, telephone, note, memorandum, telegraph, telex, telecopy, cable, email, or any other electronic or other medium.

“Document” refers to written matter of any kind, regardless of its form, and to information recorded on any storage medium, whether in electrical, optical or electromagnetic form, and capable of reduction to writing by the use of computer hardware and software, and includes all copies, drafts, proofs, both originals and copies either (1) in the possession, custody or control of the Company regardless of where located, or (2) produced or generated by, known to or seen by the Company, but now in their possession, custody or control, regardless of where located whether or still in existence.

Such “documents” shall include, but are not limited to, applications, permits, monitoring reports, computer printouts, contracts, leases, agreements, papers, photographs, tape recordings, transcripts, letters or other forms of correspondence, folders or similar containers, programs,

telex, TWX and other teletype communications, memoranda, reports, studies, summaries, minutes, minute books, circulars, notes (whether typewritten, handwritten or otherwise), agenda, bulletins, notices, announcements, instructions, charts, tables, manuals, brochures, magazines, pamphlets, lists, logs, telegrams, drawings, sketches, plans, specifications, diagrams, drafts, books and records, formal records, notebooks, diaries, registers, analyses, projections, email correspondence or communications and other data compilations from which information can be obtained (including matter used in data processing) or translated, and any other printed, written, recorded, stenographic, computer-generated, computer-stored, or electronically stored matter, however and by whomever produced, prepared, reproduced, disseminated or made.

Without limitation, the term “control” as used in the preceding paragraphs means that a document is deemed to be in your control if you have the right to secure the document or a copy thereof from another person or public or private entity having actual possession thereof. If a document is responsive to a request, but is not in your possession or custody, identify the person with possession or custody. If any document was in your possession or subject to your control, and is no longer, state what disposition was made of it, by whom, the date on which such disposition was made, and why such disposition was made.

For purposes of the production of “documents,” the term shall include copies of all documents being produced, to the extent the copies are not identical to the original, thus requiring the production of copies that contain any markings, additions or deletions that make them different in any way from the original.

“Identify” means:

(a) With respect to a person, to state the person’s name, address and business relationship (e.g., “employee”) vis-à-vis the Company;

(b) With respect to a document, to state the nature of the document in sufficient detail for identification in a request for production, its date, its author, and to identify its custodian. If the information or document identified is recorded in electrical, optical or electromagnetic form, identification includes a description of the computer hardware or software required to reduce it to readable form.

“IRP” means Big Rivers’ 2020 Integrated Resource Plan.

“Relating to” or “concerning” means and includes pertaining to, referring to, or having as a subject matter, directly or indirectly, expressly or implied, the subject matter of the specific request.

“Workpapers” are defined as original, electronic, machine-readable, unlocked, Excel format (where possible) with formulas intact.

PRIVILEGE

If you claim a privilege including, but not limited to, the attorney-client privilege or the work product doctrine, as grounds for not fully and completely responding to any interrogatory or request for production, describe the basis for your claim of privilege in sufficient detail so as to permit Sierra Club and the Commission to evaluate the validity of the claim. With respect to documents for which a privilege is claimed, produce a “privilege log” that identifies the author, recipient, date and subject matter of the documents or interrogatory answers for which you are asserting a claim of privilege and any other information pertinent to the claim that would enable the Proposed Intervenors or the Commission to evaluate the validity of such claims.

TIME

Unless otherwise provided, the applicable time period for each of these requests for information is January 1, 2016, to the present.

REQUESTS FOR INFORMATION

1. Refer to Big Rivers' response to Sierra Club's RFI 1-1(b), and to the IRP's "optimal plan" to form a coalition of partners to invest in a 592 MW natural gas combined cycle ("NGCC") unit at Sebree or Coleman, *see* IRP pp. 33, 137, 140.
 - a. Please confirm that Big Rivers has no update on any efforts or progress to form such a coalition occurring since the Company's March 19, 2021, response to Sierra Club's RFI 1-1(b). If not confirmed, please provide a detailed narrative update on all such interceding developments.
 - b. Explain whether outreach to, or conversations with, potential partners will continue between now and when the PSC renders a decision in PSC Case No. 2021-00079, or conversely whether such efforts to explore the NGCC partnership are on hold pending the outcome of that proceeding.
 - c. Confirm when within 2024 (e.g., by January 1, December 31, other) that preferred scenario in the IRP envisioned Big Rivers taking the 90 MW from the NGCC.
2. Refer to Big Rivers' response to Sierra Club's RFI 1-2. Please confirm that Big Rivers has no update about any new planning or modeling related to new assumptions/inputs or forecasts about carbon regulation, taxation, trading, or other effective pricing, since the Company's March 19, 2021, response to Sierra Club's RFI 1-2. If not confirmed, please identify and explain all such carbon-related updates
3. Refer to Big Rivers' February 28, 2021, application in PSC Case No. 2021-00079, *Electronic Application Of Big Rivers Electric Corporation For A Certificate Of Public Convenience And Necessity Authorizing The Conversion Of The Green Station Units To Natural Gas-Fired Units And An Order Approving The Establishment Of A Regulatory Asset*, in which the Company seeks approval to convert the Green Station to gas-fired and to put the plants two into service as gas-fired as early as March 11 and April 30, 2022, respectively, ahead of the plant's June 1, 2022, deadline to cease coal-fired operations—a proposal that would supersede the IRP's "optimal" case.
 - a. Please identify the specific date, or timeline of dates, of meetings, conversations, votes, or other event or processes, when Big Rivers decided to replace the IRP's purportedly optimal case—namely, forming a coalition of partners to invest in a 592 MW NGCC plant, of which Big Rivers would take 90 MW of power—with the now-purportedly least-cost plan of converting Green to gas-fired for mid-2022 operations. (If such explanation is already present in Big Rivers' public filings in Case No. 2021-00079, and Big Rivers has nothing responsive to add beyond that, you may refer Sierra Club to the specific portion(s) of that record.)
 - b. Whereas the IRP's optimal case has Green retiring in June 2022, and Big Rivers not taking new power from the potential NGCC until 2024, please explain in detail whether and why it is prudent for Big Rivers to convert Green for service by 2022, as opposed to later. In so doing, without limitation, please discuss all reasons why Big Rivers does not believe it would be prudent to idle Green in June 2022 as already planned, conduct a broad evaluation in 2022-2023 of possible options (including a clean power portfolio) for new power/capacity that may be needed by 2024, and then pursue the result of that evaluation at such time ahead of 2024, if indeed power/capacity is needed for 2024. (If such explanation and discussion is already present in Big Rivers' public filings in Case No. 2021-00079, and Big Rivers has

- nothing responsive to add beyond that, you may refer Sierra Club to the specific portion(s) of that record.)
- c. Whereas the IRP's optimal case has Big Rivers taking only 90 MW of power from the potential NGCC in 2024, please explain in detail whether and why it is prudent for Big Rivers to convert both Green units (whose respective output capabilities as gas-converted units will apparently be 211 MW and 203 MW) as opposed to just one. (If such explanation is already present in Big Rivers' public filings in Case No. 2021-00079, and Big Rivers has nothing responsive to add beyond that, you may refer Sierra Club to the specific portion(s) of that record.)
 - d. Please confirm whether Big Rivers plans on a gas-converted Green Station meeting approximately the same, less, or more load than coal-fired Green has been satisfying in recent years, and further identify what that load (whether the same, less, or more than at present) would be. If the answer varies over time, please provide the projected/estimated load that all future years in which Big Rivers would envision a gas-converted Green operating. (If such explanation is already present in Big Rivers' public filings in Case No. 2021-00079, and Big Rivers has nothing responsive to add beyond that, you may refer Sierra Club to the specific portion(s) of that record.)

Dated: April 20, 2021

Respectfully submitted,



Of counsel
(not licensed in Kentucky):

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CERTIFICATE OF SERVICE

This is to certify that the foregoing copy of the SIERRA CLUB'S SUPPLEMENTAL REQUESTS FOR INFORMATION in this action is being electronically transmitted to the Commission on April 20, 2021; and that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding. Per the Commission's general standing Order issued in Case No. 2020-00085 on March 16, 2020, this filing will not be mailed in paper medium to the Commission.



JOE F. CHILDERS