

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

**In the Matter of:**

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

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**SIERRA CLUB’S POST-HEARING REQUESTS FOR INFORMATION  
TO BIG RIVERS**

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Pursuant to the Kentucky Public Service Commission’s (“Commission”) November 29, 2021, Order, Sierra Club hereby propounds the following Post-Hearing Requests for Information on Big Rivers Electric Corporation (“Big Rivers” or the “Company”) in the above-captioned proceeding. The Company shall answer these requests by no later than December 31, 2021, as provided in the aforementioned Order. 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 RFI 2-1, as well as 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. Please confirm whether Big Rivers has any update on any new analysis, conversations (external or internal), proposals, efforts, or developments related to the formation of a coalition occurring since the Company’s May 11, 2021, response to Sierra Club RFI 2-1.
  - a. To the extent there is an update since then, provide a detailed narrative update on all such interceding analysis, conversations, proposals, efforts, or other developments, as well as any documents that embody or memorialize the same.
  
2. Please confirm that Big Rivers’ forthcoming modeling and assessment of the comparative economics of various future supply-side portfolios to meet the Company’s future needs, to be presented in the 2023 IRP, will not “hard code” in a restriction on how soon the Company’s remaining coal-fired power at the Wilson plant can be retired. Put another way, confirm that the model will be allowed to optimize Wilson’s retirement date based on economics as well legitimate practical considerations such how quickly any needed capacity and/or energy replacement could be obtained, but free of any arbitrary or artificial restriction (e.g., not being allowed to examine a retirement year prior to 2030).
  - a. If not confirmed, please identify, explain, and defend any such hard-coded restriction on Wilson’s retirement date.
  
3. Please identify all ongoing or planned proactive outreach, education, and publicity efforts that Big Rivers or its member cooperatives do or will conduct to promote DSM (including EE) programs, offerings, and behaviors among their consumers—e.g., emails, postcards/letters/pamphlets, social media posts, workshops, phone calls, etc.—that go out without a consumer first needing to contact or inquire with Big Rivers or the member cooperative. For each such effort, please specify how long it has been implemented or when in the future it will be.
  
4. Refer to IRP at page 89, Staff Report at 20-22, and Big Rivers’ oral exchanges with Chairman Chandler concerning DSM at the November 23, 2021, hearing, *inter alia*.

- a. Please identify the metric/method that Big Rivers chooses to measure or approximate the value of avoided capacity cost (e.g., a particular market's value, PPA-informed estimates for a given increment of capacity, other), for purposes of calculating the TRC value in screening current and potential DSM measures.
  - i. Please identify all other alternative metrics that Big Rivers considered or might have considered, and please explain and justify Big Rivers' choice of its chosen metric over alternatives.
- b. Please identify and explain in detail the criteria based on which, and process through which, Big Rivers and/or its member cooperatives choose to pursue, or decline to pursue, DSM measures with a TRC value greater than 1.
  - i. In conjunction with your identification and explanation, please provide all memoranda, manuals, policies, or other documents, if any, reflecting those criteria and that process.
    1. If none exist, please confirm that, and discuss the non-written criteria and process for decision-making about whether to pursue, or to decline to pursue, DSM measures.
  - ii. Without limitation, explain why and how measures with a TRC value around 2, for instance, have been rejected.

Dated: December 1, 2021

Respectfully submitted,



*Of counsel*  
(not licensed in Kentucky):

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*Counsel for Sierra Club*

**CERTIFICATE OF SERVICE**

This is to certify that the foregoing copy of the SIERRA CLUB'S POST-HEARING REQUESTS FOR INFORMATION in this action is being electronically transmitted to the Commission on December 1, 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.



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JOE F. CHILDERS