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COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC INVESTIGATION OF	)	
INTERCONNECTION AND NET METERING	)	CASE NO. 2020-0302
GUIDELINES	)	

**JOINT MOTION OF MOUNTAIN ASSOCIATION AND EARTH TOOLS, INC.  
FOR FULL INTERVENTION AS JOINT INTERVENORS**

Come now the Mountain Association (MA) and Earth Tools, Inc. (ETI) (collectively "Movants"), and by and through counsel, move for leave to participate as full Joint Intervenors into this case. In support of their JOINT motion to intervene, MA and ETI state as follows:

1. Intervention in formal proceedings before the Kentucky Public Service Commission ("Commission") is within the sound discretion of the Commission and is governed by 807 KAR 5:001 Section 4(11), which provides in relevant part that:

A person who wishes to become a party to a case before the Commission may, by timely motion, request leave to intervene. [ ] The motion shall include the movant's name and address and shall 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.

807 KAR 5:001 Section 4(11).

2. This motion for intervention is timely, since under the *Order* entered by the Commission in this case on September 24, 2020

establishing the intervention deadline, a motion for intervention is deemed timely if filed by October 30, 2020.

3. In the Order establishing this case, the Commission encouraged “any individuals or groups with a special interest in the interconnection standards applicable to net metering, to participate, either by moving for intervention as dictated by statute and regulation, or by filing comments[.]” Movants’ have interests that are distinct different than those of the existing parties, including the Office of Attorney General, and Movants’ participation is “likely to present issues and develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings.”

4. Existing parties to the proceeding do not adequately represent the specific perspective and interests of Movants.

5. As noted by the Commission in the *Order* in Case 2019-00256:

[T]he Commission concurs with comments from jurisdictional electric utilities and KYSEIA that the existing interconnection guidelines for distributed generation established in Case No. 2008-00169 must be updated. In Case No. 2008-00169, the Commission worked with stakeholders in a cooperative process that resulted in the development of interconnection and net metering guidelines adopted by the Commission that are applicable to all jurisdictional electric utilities. The guidelines incorporated all applicable safety and power quality standards established by the National Electric Code, Institute of Electrical and Electronics Engineers, and accredited testing laboratories such as Underwriters Laboratories. The Commission will initiate a separate proceeding using the same collaborative process utilized in Case No. 2008-00169 to update the interconnection guidelines to reflect new technology and technical interconnection requirements, and upon initiating the matter, the Commission will make all jurisdictional electric utilities parties.

6. 907 KAR 5:001 Section 4(11)(b) provides that the Commission will grant full intervention status if the person “has special interests in the case that is not otherwise adequately represented” or “that his or her 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.” The special interests of Movants in the pending rate case are squarely within the ambit of the Commission’s *Order* opening this case, and as discussed below, are not adequately represented by existing parties. The participation of MA and ETI as Joint Intervenors will neither complicate or disrupt the proceedings, since the discovery, testimony, and witnesses will be jointly offered by the two organizations and Movants will comply with any procedural schedule established in this case.

7. Alternatively, full joint intervention should be granted since the participation of Movants would assist the Commission in fully considering the matter without unduly complicating or disrupting the proceeding.

8. The Mountain Association (MA), is a non-profit corporation in good standing incorporated in the Commonwealth of Kentucky, with its office at 433 Chestnut Street, Berea, Kentucky, 40403, (859) 671-0240, works with people in eastern Kentucky and Central Appalachia to create economic opportunity, strengthen democracy, and support the sustainable use of natural resources. MA’s energy programs work to

strengthen the region's residents, small businesses, local governments, communities, and non-profits by helping to reduce energy costs and consumption, increase energy security, and build resilience in the face of climate change. MA has worked with hundreds of utility customers over the last twelve (12) years, providing financing to access investments in energy efficiency and renewable energy, resulting in reduced operating expenses. At the same time, MA has assisted energy contractors with technical trainings and equipment financing to grow their businesses. MA has also assisted dozens of clients across multiple electric service territories navigate their net metered interconnection application processes.

9. Joshua Bills, CEM, is the Commercial Energy Specialist for MA, and participated in the collaborative administrative case before this Commission, Case No. 2008-00169 that established the initial tariff and interconnection provisions for jurisdictional electric utilities under Kentucky's original "net metering" law and which the Commission is revisiting in this case. It is anticipated that, if granted intervention as a Joint Intervenor, Movants will offer expert testimony from Mr. Bills concerning areas in which both the interconnection and net metering guidelines need to be updated to reflect changes in distributed generation and technology since the initial collaborative case.

10. Without limitation, MA has a unique perspective and concern, and would offer testimony concerning the need for updating interconnection guidelines.

11. MA “has special interests in the case that is not otherwise adequately represented” and alternatively that “his or her 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.”

12. Earth Tools, Inc. (“ETI”) is a for-profit corporation in good standing, incorporated under the laws of the Commonwealth of Kentucky, with offices in Owenton and Frankfort, Kentucky. The principal office of ETI is located at 1525 Kays Branch Road in Owenton, Kentucky 40359. ETI is a small business that sells and services agricultural equipment to small farmers throughout Kentucky and the United States. In addition, since 2014 ETI has provided solar energy system consulting and project development services to customers in Central Kentucky through its Sustainable Systems and Apogee programs. ETI is a business with a commitment to environmental sustainability and has supplied most of its net electricity needs since 2011 with on-site net-metered solar PV systems.

13. Apogee-Climate & Energy Transitions (“Apogee”) is a public service program of Earth Tools Inc. Apogee's mission is to advance the transition to 100% clean renewable energy and solutions to the climate

crisis. Apogee does this through technical assistance, education, policy research, and advocacy.

14. Apogee's Director, Andy McDonald, CEM, M.Sc. who is also the vice-chair of the Kentucky Solar Energy Society, participated in PSC Case No.2008-00169 on behalf of Appalachia-Science in the Public Interest (ASPI). In that capacity McDonald helped produce the Kentucky Interconnection and Net Metering Guidelines which resulted from that collaborative case. He has continued during the subsequent 12 years to work with solar energy in Kentucky and his anticipated testimony would bring both historical knowledge and relevant recent experience to the consideration of changes to Kentucky's interconnections standards. For the past seven years McDonald has worked with Earth Tools Inc., designing, developing, and installing net metered solar energy systems for residential and small commercial customers in Central Kentucky. It is anticipated that, if granted intervention as a Joint Intervenor, Movants will offer expert testimony from Mr. McDonald concerning areas in which both the interconnection and net metering guidelines need to be updated to reflect changes in distributed generation and technology since the initial collaborative case. As a net metering customer itself and as a designer/developer of net metering systems, whose customers have a direct interest in Kentucky's interconnection standards, ETI has a significant interest in this case and valuable experience to bring to the issue. "

15. ETI has a special interest in the case that is “not otherwise adequately represented.” Alternatively, ETI’s participation as a Joint Intervenor with MA “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.”

WHEREFORE, for the reasons stated above, Joint Movants MA and ETI respectfully request to be accorded the status of full Joint Intervenors, and that each party to the case be directed to serve upon the undersigned counsel, all future pleadings and documents that are filed in this case.

Respectfully submitted,



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*Counsel for Joint Movants, Mountain  
Association and Kentucky Solar  
Energy Society*

#### CERTIFICATE OF SERVICE

This is to certify that electronic version of the Joint Motion of Mountain Association, and Earth Tools, Inc. for Full Intervention AS Joint Intervenors, is a true and accurate copy of the same document being filed in paper medium; that the electronic filing has been transmitted to the Commission on October 30, 2020; that there are currently no parties

that the Commission has excused from participation by electronic means in this proceeding; and that an original and ten copies in paper medium of the Motion will be mailed, priority mail, to the Commission in accordance with the Commission's Order, after the state of emergency has been lifted.

A handwritten signature in black ink, appearing to read 'Tom FitzGerald', with a long horizontal stroke extending to the right.

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Tom FitzGerald