

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

In the Matter of:

ELECTRONIC APPLICATION OF)	
KENTUCKY UTILITIES COMPANY)	
FOR AN ADJUSTMENT OF ITS)	
ELECTRIC RATES, A CERTIFICATE)	
OF PUBLIC CONVENIENCE AND)	
NECESSITY TO DEPLOY)	CASE NO. 2020-00349
ADVANCED METERING)	
INFRASTRUCTURE, APPROVAL OF)	
CERTAIN REGULATORY AND)	
ACCOUNTING TREATMENTS, AND)	
ESTABLISHMENT OF A ONE-YEAR)	
SURCREDIT)	

**SIERRA CLUB’S INITIAL DATA REQUESTS
TO KENTUCKY UTILITIES COMPANY**

Pursuant to the Kentucky Public Service Commission’s (“Commission”) December 9, 2020, Order (“Scheduling Order”), Sierra Club hereby propounds the following data requests on Kentucky Utilities Company (“KU” 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 January 22, 2021. Please produce the requested information—in electronic format, whenever possible—to:

Matthew E. Miller
Sierra Club
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 “KU,” refers to Kentucky Utilities Company, and its affiliates, officers, directors, employees, and agents. “LG&E,” refers to Louisville Gas and Electric Company 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.

“OVEC” means the Ohio Valley Electric Corporation.

“OVEC Units” means the Clifty Creek Generating Station (Units 1-6) as well as Kyger Creek Generating Station (Units 1-5).

“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.

DATA REQUESTS

1. Refer to the Direct Testimony of Paul Thompson at 17:17–18:14, *inter alia*.
 - a. Please confirm whether the Company’s request for a CPCN to deploy AMI is based dispositively on the purported “numerous benefits for electric and gas customers from this investment into advanced digital technology and away from outdated and limited capability analog technology,” and does not rely on an argument that, putting aside the cost-benefit proposition of AMI, it is necessary to approve the widespread deployment of AMI because the analog fleet is nearing the end of its useful life and the Company cannot continue to obtain analog meters. If not confirmed, please explain how and the extent to which the Company’s request is based on that latter consideration.
 - b. Please identify and provide, if not already filed, all documentation (studies, memoranda, etc.) that supports the Company’s cost and benefit estimates pertaining to AMI.
 - c. Please describe in detail the educational or outreach efforts that the Company will conduct, or invest in, to facilitate customers maximizing the stated benefits of AMI, including but not limited to energy conservation and bill reduction.

2. Refer to the Direct Testimony of William Steven Seelye at 41:11–64:5, *inter alia*.
 - a. Please identify the number of customers, by class type (*i.e.* residential, commercial, industrial), that take service under the Company’s existing net metering tariff, along with the cumulative generating capacity of such customers’ distributed solar generation systems.
 - b. Please confirm whether the Company intends to limit new net metering customers taking service under the proposed NMS-2 tariff, if approved, to the point at which cumulative generating capacity of net metering systems hits 1% of the Company’s single hour peak load.
 - i. If so, please identify that 1% capacity level, and also estimate the number of average customers to which it corresponds.
 - ii. Also if so, please identify and provide any analysis the Company has performed, obtained, or reviewed that seeks to evaluate the potential relative cost savings to the Company’s system posed by allowing and realizing distributed solar installation at a level greater than the 1% level—an additional increment of power that could displace potentially costlier power that the Company owns or plans on procuring from other sources in its future portfolio. (If no such analysis exists, please so indicate).
 - c. Please explain whether, and (if so) specifically how, the proposed NMS-2 tariff purports to recognize and factor in the respective values of carbon reduction, improved public health, grid resiliency, or other benefits in the public interest. If not, please discuss the reasons why the Company believes it should not or cannot do so.
3. Refer to the Direct Testimony of David Sinclair at 27:17-21, *inter alia*.
 - a. Please confirm whether, if OVEC chooses to pursue compliance with the Effluent Limitation Guidelines (“ELGs”) and the Coal Combustion Residuals (“CCR”) Rule by way of investing in capital projects at the OVEC Units, the Company’s ratepayers would ultimately be responsible for paying the Company’s share (among OVEC member utilities) of such costs.
 - i. Please indicate if the Company knows whether OVEC in fact has committed, or plans to commit, to compliance with the ELGs and CCR Rule by way of investing in capital projects.
 1. Please identify the projected costs of such projects, if any and if known to the Company, and please provide all documentation (studies, memoranda, presentations, board minutes, etc.), if any, that detail and purport to justify the cost-benefit calculus of that compliance strategy, if planned/contemplated, versus other options.
 2. Please discuss whether the Company (including its representatives on the OVEC Board) has discussed with the other OVEC member-utilities (and their representatives on the OVEC Board) whether to

retire any of the OVEC units and/or to terminate the Inter-Company Power Agreement (“ICPA”). If so, please provide any documentation that may exist of such discussions (correspondence, board minutes, etc.).

Dated: January 8, 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 INITIAL DATA REQUESTS TO KENTUCKY UTILITIES COMPANY in this action is being electronically transmitted to the Commission on January 8, 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