

**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 SUPPLEMENTAL 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 February 19, 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 Company’s response (Jan. 8, 2021) to Sierra Club’s Initial Data Request #3.
 - a. Please identify when and in what type of proceeding the Company intends to present and defend the prudence, to the Kentucky Public Service Commission, of the referenced plans by OVEC to comply with the CCR and ELG rules, including costs associated with those plans and their impacts on the Company’s ratepayers.
 - i. If the Company has no such intent, please confirm when and in what type of proceeding the Company believes that the Commission otherwise will have the opportunity to review the prudence of such plans and costs—whether focused on those issues, or in the context of reviewing the prudence of the ICPA or the Company’s OVEC costs more generally.
 - ii. If the Company does not believe there will be such an opportunity for the Commission to review the prudence of these plans and costs, please state so.
 - b. Please confirm that the Company does not possess, or have access to, any other documents concerning the referenced compliance plans and their costs, besides what the Company attached in response to Sierra Club’s Initial Data Request 3-a-i-1. If not confirmed, please explain and produce all such documents.

- c. Please explain whether the Company (whether through its representatives on the OVEC Board or otherwise) has discussed with the other OVEC member utilities (including their representatives on the OVEC Board, or otherwise) the question of whether to retire any of the OVEC units and/or to terminate the Inter-Company Power Agreement (“ICPA”). If so, please describe those discussions and provide any documentation that may exist of such discussions (correspondence, board minutes, etc.). If not, explain why not. [Note: This question is not limited to whether the aforementioned discussions have occurred in the context of discussing compliance with the CCR and ELG rules; rather, Sierra Club is asking whether such discussions have occurred in any context. It is thus not apparent that the Company’s response to Sierra Club’s Initial Data Request 3-a-i-2 was fully responsive.]
2. Please list each and every payment assistance, energy affordability, arrearage management and/or deferred payment program offered by the Company to residential customers, and please include eligibility requirements, the number of customers enrolled or receiving benefits from each program for each of the last twelve months, and the total amount of benefits awarded, for each of last 24 months for which data is available.
 3. Please identify (in native format with formulae intact, if possible and applicable), for each of last 24 months for which data is available, the information identified below. If the Company does not maintain and cannot discern such data, please so state. If the data is available only in units of time other than monthly, please promptly contact Sierra Club to discuss how best the Company may be able present the information.
 - a. The average total bill for residential electricity accounts
 - b. The average arrears of residential electricity accounts in arrears
 - c. The average bill for current service of residential electricity accounts in arrears
 - d. The total dollars of residential electricity account arrears
 - e. The percentage of total residential electricity billed dollars constituting arrears
 - f. The percentage of billed residential electricity accounts having arrears
 - g. The average amount of time, or number of billing cycles, that residential electricity accounts in arrearage have been in arrearage
 - h. The average arrears of all residential electricity accounts disconnected for nonpayment in that month
 - i. The number of final notices of disconnection for nonpayment (disaggregating by and explaining if different “final” notices are provided) for residential electricity customers
 - j. The number of residential electricity disconnections for nonpayment
 - k. The average arrears of residential electricity accounts receiving a final notice of disconnection for nonpayment
 - l. The average arrears of residential electricity accounts disconnected for nonpayment
 - m. The number of residential electricity reconnections subsequent to a disconnection for nonpayment
 - n. The average time between residential electricity disconnection and reconnection
 - o. The average payment made to achieve a residential electricity reconnection
 - p. The average arrears remaining at the time of residential electricity reconnection

- q. The number of residential accounts with a \$0 balance at the time of electricity reconnection
 - r. The number of residential electricity customers charged a late fee
 - s. The dollar value of late fees collected for residential electricity accounts
4. Please identify and provide all reports, evaluations, memos, analyses or other documents, prepared since 2016, containing any Company's methodology, procedure, or process designed to systematically review, study or assess the Company residential billing and/or payment records in an effort to:
- a. Characterize patterns of nonpayment
 - b. Identify the characteristics of nonpayers
 - c. Identify predictors of nonpayment
 - d. Identify strategies to reduce nonpayment
 - e. Identify early indicators of nonpayment.

For each subpart, if no such reports, etc., exist, please so state.

5. Please identify and provide all customer demographic surveys that has been prepared about the Company's residential customers since 2016. If no such survey has been prepared since then, please identify and provide the most recent survey; or if none exist, please so state.
6. Refer to Attachment to Filing Requirement, Tab 59 - 807 KAR 5:001 Sec. 16(8)(f), Garrett Page 8 of 10.
- a. Please describe in detail which specific legal matters are reflected in the base period and forecasted test period expenses for "Legal Fees," including by itemizing per legal matter the amount of fees reflected in each period.
 - b. Please confirm whether the Company has included in its base period or forecasted test period for this rate case a request for any legal fees and expenses incurred in connection with its defense of *Kentucky Waterways Alliance v. Kentucky Utilities*, Civil Action No. 5: 17-292-DCR (E.D. Ky.), or the appeal thereof to the U.S. Court of Appeals for the Sixth Circuit.
 - i. If so, please describe in detail the amount of expenses sought in each period and produce records documenting the amount of those expenses.
 - ii. If not, explain why not, and also confirm whether/when such fees and expenses have previously been sought or recovered, or will in some future proceeding be sought or recovered, by the Company.
7. Please explain whether the Company seeks recovery in this case, has sought or will seek recover in any other proceeding before this Commission, the expenses of any contract(s) with Ramboll US Corporation.

- a. If so, please identify in which cases those recoveries were sought, or will be sought, and describe in detail the amount of expenses for which the Company may have sought recovery and the purposes of those expenses. Produce all records documenting any such expenses.
- b. If not, explain why not.

Dated: February 5, 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 SUPPLEMENTAL DATA REQUESTS TO KENTUCKY UTILITIES COMPANY in this action is being electronically transmitted to the Commission on February 5, 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