

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF LOUISVILLE)	
GAS AND ELECTRIC COMPANY FOR AN)	
ADJUSTMENT OF ITS ELECTRIC AND GAS)	
RATES, A CERTIFICATE OF PUBLIC)	CASE NO.
CONVENIENCE AND NECESSITY TO DEPLOY)	2020-00350
ADVANCED METERING INFRASTRUCTURE,)	
APPROVAL OF CERTAIN REGULATORY AND)	
ACCOUNTING TREATMENTS, AND)	
ESTABLISHMENT OF A ONE-YEAR SURCREDIT)	

**KENTUCKY SOLAR INDUSTRIES ASSOCIATION, INC.
MOTION TO INTERVENE**

Comes now the Kentucky Solar Industries Association, Inc. (KYSEIA), by and through counsel, and moves for leave to intervene into the instant case. In support of its motion to intervene, KYSEIA states the following.

1. KYSEIA is the assumed name of the Kentucky Solar Industries Association, Inc., a Kentucky nonprofit in good standing with the Kentucky Secretary of State.
2. KYSEIA's mailing address, electronic mail address, and other contact information:

Kentucky Industries Solar Association, Inc.
ATTN: Matt Partymiller
1038 Brentwood Court, Ste. B
Lexington, Kentucky 40511
(877) 312-7456
matt@solar-energy-solutions.com

3. The purpose of KYSEIA includes, among other things, promoting the exchange of knowledge for solar energy and advocate on behalf of solar energy constituents and members. KYSEIA will participate in this proceeding through:

- a. Matt Partymiller, President of KYSEIA. KYSEIA has special and distinct interests on behalf of its members, including its specific member below, but also as a solar association that represents solar companies that must disseminate information and calculate costs and rates of return based upon Louisville Gas and Electric Company's ("LG&E") net metering tariff and the interconnection of systems.
 - b. Solar by Ecos LLC is a member of KYSEIA and takes service under LG&E's net metering tariff. Solar by Ecos LLC is organized under the laws of the Commonwealth of Kentucky and is in good standing with the Kentucky Secretary of State. Solar by Ecos LLC will participate in this proceeding through Christopher Zitelli, member of Solar by Ecos LLC and who also takes service at his residence under LG&E's net metering tariff. Both Solar by Ecos LLC and Zitelli may also modify their current system and may construct and net meter on additional systems in the future. Both Solar by Ecos LLC and Zitelli intend to receive electric service under a net metering tariff beyond the 25-year legacy period on its current system and any future systems including modified systems.
4. LG&E net metering customers currently receive service under Rider NMS, a tariff unique to net metering customers; accordingly, their interests are not similar to other customers who receive service under other LG&E tariffs.
 5. Through the pending application, LG&E proposes to close Rider NMS (proposed to be renamed as "Rider NMS-1") to all customers who have submitted an application for net metering service after the effective date of rates established in this proceedings.¹

¹ Application, LG&E Testimony, Volume 2, Direct Testimony of Robert M. Conroy, page 23, lines 6 - 11.

Additionally, LG&E seeks approval of “Rider NMS-2,” which will apply to all new net metering service customers who have submitted an application for net metering service after the effective date of rates established in this proceedings.² The interests of applicants for service under Rider NMS and the proposed Rider NMS-2 are not similar to other customers who apply for service under other LG&E tariffs.

6. LG&E also proposes to modify interconnection procedures and fees through the proposed net metering tariff. KYSEIA has a special and distinct interest in these interconnection procedures and fees, as it not only represents customer generators and potential customer generators who are subject to those procedures and fees, it also represents the solar companies that will ultimately be assisting these customers and potential customers in complying with those interconnection procedures and applications. This is especially important to KYSEIA, as the Commission has recognized that the existing interconnection guidelines for distributed generation established in Administrative Case No. 2008-00169 must be updated and has initiated its own investigation to do so.³ KYSEIA has been granted full intervention in that case.⁴ KYSEIA is the primary entity representing solar companies and customer generators on issues related to interconnection and therefore has special and distinct interests that will not otherwise be adequately represented by any other party in this proceeding.

² *Id.*

³ Case No. 2019-00256, *Electronic Consideration of the Implementation of the Net Metering Act* (Ky. PSC Dec. 18, 2019), Order at 34. KYSEIA participated and submitted substantial comments in that case, as noted by the Order. *See id.*, at 19-23, 34. *See also* Case No. 2020-00302, *Investigation of Interconnection and Net Metering Guidelines*.

⁴ Case No. 2020-00302, *Investigation of Interconnection and Net Metering Guidelines* (Ky. PSC Nov. 6, 2020), Order at 1.

7. The interests of LG&E's net metering customers, applicants for net metering service under Rider NMS, and applicants under the proposed Rider NMS-2 are separate and distinct from the interests of other customers of LG&E. The special interests of LG&E's net metering customers will not otherwise be adequately represented by any other party to this proceeding.
8. KYSEIA has extensive knowledge regarding net metering service and subject-matter expertise concerning net metering rate and service issues pertinent to this proceeding and 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.
9. KYSEIA's motion to intervene is filed prior to the last day for intervention requests per the procedural schedule.⁵ KYSEIA's motion is timely.

WHEREFORE, KYSEIA respectfully requests the Commission to grant KYSEIA intervention into the instant case with full rights of a party to the proceeding.

Respectfully submitted,



Randal A. Strobo
Clay A. Barkley
David E. Spenard
STROBO BARKLEY PLLC
239 S. Fifth Street, Suite 917
Louisville, Kentucky 40202
Phone: 502-290-9751
Facsimile: 502-378-5395
Email: rstrobo@strobobarkley.com
Email: cbarkley@strobobarkley.com
Email: dspenard@strobobarkley.com
Counsel for KYSEIA

⁵ (Ky. PSC Dec. 9, 2020), Order, Appendix at 1.

NOTICE AND CERTIFICATION FOR FILING

Undersigned counsel provides notice that the electronic version of the paper has been submitted to the Commission by uploading it using the Commission's E-Filing System on this 16th day of December, and further certifies that the electronic version of the paper is a true and accurate copy of each paper filed in paper medium. Pursuant to the Commission's March 16, 2020, and March 24, 2020, Orders in Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus Covid-19*, the paper, in paper medium, will be filed at the Commission's offices within 30 days of the lifting of the state of emergency.



Randal A. Strobo

CERTIFICATE OF SERVICE

Undersigned counsel certifies that it has transmitted on this 16th day of December, 2020, via electronic mail messages, this Motion to Intervene and the accompanying Read1st file for the electronic filing to the parties of record at the electronic mail addresses listed below. The Commission has not excused any party from electronic filing procedures for this case.

Robert M. Conroy
Vice President –State Regulation and Rates
LG&E and KU Services Company
220 West Main Street
Louisville, Kentucky 40202
robert.conroy@lge-ku.com

Allyson K. Sturgeon
Managing Senior Counsel, Regulatory and Transactions
Sara V. Judd
Senior Corporate Attorney
LG&E and KU Services Company
220 West Main Street
Louisville, Kentucky 40202
allyson.sturgeon@lge-ku.com
sara.judd@lge-ku.com

Rick E. Lovekamp
Manager–Regulatory Strategy/Policy
LG&E and KU Services Company
220 West Main Street
Louisville, Kentucky 40202
rick.lovekamp@lge-ku.com

Kendrick R. Riggs
Stoll Keenon Ogden PLLC
500 West Jefferson Street, Suite 2000
Louisville, Kentucky 40202-2828
kendrick.riggs@skofirm.com
Counsel for LG&E and KU

Lawrence Cook, Assistant Attorney General
Angela M Goad, Assistant Attorney General
John Horne II, Assistant Attorney General
J. Michael West, Assistant Attorney General
Office of the Attorney General
700 Capital Avenue, Suite 20
Frankfort, Kentucky 40601
Larry.Cook@ky.gov
Angela.Goad@ky.gov
John.Horne@ky.gov
Michael.West@ky.gov
Counsel for the Attorney General, Daniel J. Cameron

Michael L. Kurtz
Kurt J. Boehm
Jody Kyler Cohn
Boehm, Kurtz & Lowry
36 East Seventh Street, Suite 1510
Cincinnati, Ohio 45202
mkurtz@BKLawfirm.com
kboehm@BKLawfirm.com
jkylercohn@BKLawfirm.com
Counsel for KIUC



Randal A. Strobo