

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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

**LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT
MOTION TO INTERVENE**

Louisville/Jefferson County Metro Government (“Louisville Metro”), by counsel, hereby petitions the Kentucky Public Service Commission (“Commission”) pursuant to 807 KAR 5:001, Section 4(11) for intervention in the above-styled matter. In support of its motion, Louisville Metro states the following:

Louisville Metro is a consolidated local government established under KRS Chapter 67C. Its address is 527 W. Jefferson Street, Louisville, KY 40202.

The Commission has interpreted KRS 278.040(2) as requiring a person seeking intervention to have an interest in the rates or service of a utility as those are the only matters that are subject to the Commission's jurisdiction. See Order, Kentucky Power Co., Case No. 2017-00179 (Ky. PSC June 19, 2017). Louisville Metro satisfies this requirement because it is a customer of Louisville Gas & Electric (“LG&E”). Each fiscal year, Louisville Metro pays approximately \$13,000,000 to LG&E for electrical and gas service.

Administrative regulation 807 KAR 5:001, Section 4(11)(b) states:

The commission shall grant a person leave to intervene if the commission finds that he or she has made a timely motion for intervention and that he or she has a special interest 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.

Louisville Metro meets both these criteria. Louisville Metro has special interests in LG&E's rate case that will not otherwise be adequately represented. First and foremost, as one of LG&E's largest customers that take service from a variety of rate classifications, no other party could adequately represent the interests of Louisville Metro. Second, and relatedly, Louisville Metro is LG&E's largest customer of Outdoor Lighting classification. Each year, Louisville Metro pays approximately \$5,500,000 to LG&E for outdoor-lighting and traffic rate codes. Ultimately, no other party could adequately represent the special interests of Louisville Metro, whether those the interests related to lighting, changes impacting governmental agencies related to pole attachments, or other issues affecting Louisville Metro.

Louisville Metro is also likely to present issues or develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings. In this particular case, Louisville Metro anticipates addressing issues and developing facts on the following additional issues: lighting, including the rates and conversion fee; increase in Basic Service Charge; various elements of revenue requirements; net metering; and AMI deployment.

Louisville Metro desires to play a constructive role in this matter and isolate issues that are most important to it. Louisville Metro's focus will serve to neither unduly complicate nor

disrupt the proceeding. Louisville Metro believes that its prior involvement in other cases before the Commission demonstrates its productive standing in the process.¹

Attorneys for Louisville Metro listed below possess the facilities to receive electronic transmission of all notices and messages related to this proceeding at the electronic mailing addresses listed below. All correspondence to Louisville Metro should be sent to the attorneys' addresses or email addresses listed below.

Accordingly, because Louisville Metro has a special interest in this case that is not otherwise adequately represented and because it 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, Louisville Metro respectfully requests intervention in this proceeding.

¹ In addition to granting intervention to Louisville Metro and Lexington-Fayette Urban County Government in LG&E's and KU's past rate cases, the Commission has recently determined that at least one other City met the above-mentioned criteria in an investor-owned utility's rate case. *See Water Service Corp. of Kentucky*, Case No. 2020-00160 (granting intervention to the City of Clinton).

Respectfully submitted,



STURGILL, TURNER, BARKER & MOLONEY, PLLC

James W. Gardner

M. Todd Osterloh

333 W. Vine Street, Suite 1500

Lexington, Kentucky 40507

Telephone No.: (859) 255-8581

Facsimile No.: (859) 231-0851

jgardner@sturgillturner.com

tosterloh@sturgillturner.com

MICHAEL J. O'CONNELL

JEFFERSON COUNTY ATTORNEY

BY: 

JEFF DEROUEN

LAUREN GIVHAN

Assistant County Attorneys

First Trust Centre

200 S. 5th St. Suite 200N

Louisville, KY 40202

Phone: (502) 574-6331

Jeff.Derouen@louisvilleky.gov

Lauren.Givhan@louisvilleky.gov

Attorneys for Louisville Metro

CERTIFICATE OF SERVICE

In accordance with 807 KAR 5:001, Section 8, I certify that the December 14, 2020, electronic filing of this document is a true and accurate copy of the same document being filed in paper medium; that the electronic filing will be transmitted to the Commission on December 14, 2020; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; and that an original paper medium of the Petition for Confidential Treatment will be delivered to the Commission within two business days.

A handwritten signature in blue ink, appearing to read "M. J. O'Connell", is written over a horizontal line.

Counsel for Louisville Metro