

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

In the Matter of: Application Of Big Rivers Electric Corporation :
For A Certificate Of Public Convenience And Necessity : Case No. 2021-00079
Authorizing The Conversion Of The Green Station Units To :
Natural Gas-Fired Units And An Order Approving The :
Establishment Of A Regulatory Asset. :

**MOTION TO INTERVENE OF
KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC.**

Pursuant to 807 KAR 5:001, Section 4(11), KRS 278.310, and KRS 278.040(2), Kentucky Industrial Utility Customers, Inc. (“KIUC”) requests that it be granted full intervenor status in the above-captioned proceeding(s) and states in support thereof as follows:

1. 807 KAR 5:001, Section 4(11)(a)(1) requires that a person requesting leave to intervene as a party to a case before the Kentucky Public Service Commission (“Commission”), by timely motion, must 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.

2. 807 KAR 5:001, Section 4(11)(b) provides that 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.

3. KIUC is an association of the largest electric and gas public utility customers in Kentucky. The purpose of KIUC is to represent the industrial viewpoint on energy and utility issues before this Commission and before all other appropriate governmental bodies. The attorneys for KIUC authorized to represent them in this proceeding and to take service of all documents are:

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4. KIUC has filed a timely motion to intervene in this proceeding.

5. The members of KIUC who are served by Big Rivers Electric Corporation (“Big Rivers”) through Kenergy Corp. and will participate herein include some of the utility’s biggest customers, specifically: Domtar Paper Co., LLC and Kimberly Clark Corporation.

6. KIUC has a special interest in the above-captioned proceeding. The large industrial customers represented by KIUC will be directly affected by the proposals within Big Rivers’ Application. Specifically, the costs of converting Robert D. Green generating station (“Green”) from coal to natural gas, as proposed by Big Rivers, would be recovered from customers within Big Rivers’ service territory.

7. KIUC’s special interest cannot be adequately represented by any existing party. While the Kentucky Attorney General’s Office of Rate Intervention is statutorily charged with representing the interests of “consumers” pursuant to KRS 367.150(8), that duty relates primarily to residential customers. In contrast, KIUC’s interest is exclusively related to large industrial customers, who take service on different rate schedules than residential customers. Moreover, because its membership consists of several large manufacturers in Kentucky, KIUC can provide a direct channel into the viewpoint of industrial customers on the issues at hand.

8. KIUC’s intends to play a constructive role in the Commission’s decision-making process.

9. KIUC’s intervention will not unduly complicate or disrupt the proceedings.

WHEREFORE, KIUC requests that it be granted full intervenor status in the above-captioned proceeding(s).

Respectfully submitted,

/s/ Michael L. Kurtz

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