

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC 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 )

**ATTORNEY GENERAL’S INITIAL DATA REQUESTS**

The Attorney General of the Commonwealth of Kentucky, by and through his Office of Rate Intervention (“the AG”), hereby submits the following Initial Data Requests to Big Rivers Electric Corporation (“BREC,” or “the Company”), to be answered by the date specified in the Commission’s Orders of Procedure, and in accord with the following:

- (1) In each case where a request seeks data provided in response to a staff request, reference to the appropriate request item will be deemed a satisfactory response.
- (2) Identify the witness who will be prepared to answer questions concerning each request.
- (3) Repeat the question to which each response is intended to refer. The AG can provide counsel for BREC with an electronic version of these questions, upon request.
- (4) These requests shall be deemed continuing so as to require further and supplemental responses if the Companies receive or generate additional information within the scope of these requests between the time of the response and the time of any hearing conducted hereon.
- (5) Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the

response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

- (6) If you believe any request appears confusing, request clarification directly from Counsel.
- (7) To the extent that the specific document, workpaper or information as requested does not exist, but a similar document, workpaper or information does exist, provide the similar document, workpaper, or information.
- (8) To the extent that any request may be answered by way of a computer printout, identify each variable contained in the printout which would not be self-evident to a person not familiar with the printout.
- (9) If the Companies have objections to any request on the grounds that the requested information is proprietary in nature, or for any other reason, notify counsel for the AG as soon as possible.
- (10) As used herein, the words "document" or "documents" are to be construed broadly and shall mean the original of the same (and all non-identical copies or drafts thereof) and if the original is not available, the best copy available. These terms shall include all information recorded in any written, graphic or other tangible form and shall include, without limiting the generality of the foregoing, all reports; memoranda; books or notebooks; written or recorded statements, interviews, affidavits and depositions; all letters or correspondence; telegrams, cables and telex messages; contracts, leases, insurance policies or other agreements; warnings and caution/hazard notices or labels; mechanical and electronic recordings and all information so stored, or transcripts of such recordings; calendars, appointment books, schedules, agendas and diary entries; notes or memoranda of conversations (telephonic or otherwise), meetings or conferences; legal pleadings and transcripts of legal proceedings; maps, models, charts, diagrams, graphs and other

demonstrative materials; financial statements, annual reports, balance sheets and other accounting records; quotations or offers; bulletins, newsletters, pamphlets, brochures and all other similar publications; summaries or compilations of data; deeds, titles, or other instruments of ownership; blueprints and specifications; manuals, guidelines, regulations, procedures, policies and instructional materials of any type; photographs or pictures, film, microfilm and microfiche; videotapes; articles; announcements and notices of any type; surveys, studies, evaluations, tests and all research and development (R&D) materials; newspaper clippings and press releases; time cards, employee schedules or rosters, and other payroll records; cancelled checks, invoices, bills and receipts; and writings of any kind and all other tangible things upon which any handwriting, typing, printing, drawings, representations, graphic matter, magnetic or electrical impulses, or other forms of communication are recorded or produced, including audio and video recordings, computer stored information (whether or not in printout form), computer-readable media or other electronically maintained or transmitted information regardless of the media or format in which they are stored, and all other rough drafts, revised drafts (including all handwritten notes or other marks on the same) and copies of documents as hereinbefore defined by whatever means made.

(11) For any document withheld on the basis of privilege, state the following: date; author; addressee; indicated or blind copies; all persons to whom distributed, shown, or explained; and, the nature and legal basis for the privilege asserted.

(12) In the event any document called for has been destroyed or transferred beyond the control of the Companies, state: the identity of the person by whom it was destroyed or transferred, and the person authorizing the destruction or transfer; the time, place, and method of destruction or transfer; and, the reason(s) for its destruction or transfer. If destroyed or disposed of by operation of a retention policy, state the retention policy.

(13) Provide written responses, together with any and all exhibits pertaining thereto, in one or more bound volumes, separately indexed and tabbed by each response, in compliance with Kentucky Public Service Commission Regulations.

(14) “And” and “or” should be considered to be both conjunctive and disjunctive, unless specifically stated otherwise.

(15) “Each” and “any” should be considered to be both singular and plural, unless specifically stated otherwise.

Respectfully submitted,  
DANIEL CAMERON  
ATTORNEY GENERAL



---

LAWRENCE W. COOK  
J. MICHAEL WEST  
ANGELA M. GOAD  
JOHN G. HORNE II  
ASSISTANT ATTORNEYS GENERAL  
1024 CAPITAL CENTER DR., STE. 200  
FRANKFORT, KY 40601  
(502) 696-5453  
FAX: (502) 564-2698  
[Larry.Cook@ky.gov](mailto:Larry.Cook@ky.gov)  
[Michael.West@ky.gov](mailto:Michael.West@ky.gov)  
[Angela.Goad@ky.gov](mailto:Angela.Goad@ky.gov)  
[John.Horne@ky.gov](mailto:John.Horne@ky.gov)

*Certificate of Service*

Pursuant to the Commission's Orders in Case No. 2020-00085, and in accord with all other applicable law, Counsel certifies that an electronic copy of the forgoing was served and filed by e-mail to the parties of record. Further, the Attorney General will submit the paper originals of the foregoing to the Commission within 30 days after the Governor lifts the current state of emergency.

This 16<sup>th</sup> day of March, 2021



Assistant Attorney General

Application of Big Rivers Electric Corporation for a Certificate of Public Convenience and Necessity  
Authorizing the Conversion of the Green Station Units to Natural Gas-Fired Units and an Order  
Approving the Establishment of a Regulatory Asset  
Attorney General's Initial Data Requests  
Case No. 2021-00079

1. Provide the projected cost of complying with the CCR and ELG Rules for the Green units.
2. Confirm that the reason for the retirement of the coal generation components at the Green units is the need to close the coal ash pond in compliance with federal regulations imposed by the Environmental Protection Agency.
  - a. Rank from the most onerous to least onerous the regulatory cost burdens that affected the continued operation of the Green units as coal-fired units.
3. Provide the estimate of avoided cost for not having to undertake ELG and CCR compliance at Green Station. Provide also any available estimate of avoided costs for: (i) any additional environmental compliance; and (ii) O&M that would have been incurred during the next 7 years, but for the re-firing of the Green units.
4. Explain why it is more economical for BREC to convert the plants from coal-firing to gas-firing as opposed to continuing the operation of the plants as coal units.
5. Provide the approximate length of the gas supply pipeline that will connect Green Station to the nearest gas main capable of supplying the pressure and volume necessary for the proposed CPCN.
6. Explain the types of permits BREC will have to obtain to construct the gas supply pipeline to Green Station, and the projected cost of obtaining those permits.
7. Explain the types of permits BREC will have to modify or obtain for the retrofit construction of the units from coal to gas, and provide the anticipated cost for obtaining or modifying the necessary permits.
8. In the event the Commission approves the CPCN, explain whether it might be possible to extend the projected 7-year lifespan of the re-fired Green units.
  - a. Provide the projected remaining useful lives of the Green units' steam turbines, electrical generators, and other equipment and plant that will remain once the requested gas re-firing has been completed.
  - b. For each such item of equipment and plant, explain how the projected remaining useful life was derived. If the remaining useful lives were determined by some means other than the most recent depreciation study, explain.
9. In the event the Commission approves the CPCN, explain whether there will be stranded costs at the end of the projected seven-year depreciable lifespan for the gas conversion assets. If so, provide the sum of those costs.

Application of Big Rivers Electric Corporation for a Certificate of Public Convenience and Necessity  
Authorizing the Conversion of the Green Station Units to Natural Gas-Fired Units and an Order  
Approving the Establishment of a Regulatory Asset  
Attorney General's Initial Data Requests  
Case No. 2021-00079

10. Explain how BREC will obtain replacement power between the time frame that the existing coal-firing components of the Green units are removed and decommissioned, and the construction and installation of the gas-firing components.
11. Explain whether BREC will have to obtain any sort of additional regulatory approvals for the decommissioning of the coal-firing components of the Green units, including from RUS.
12. Confirm that the \$67.3 million of remaining net book value of the coal-firing assets to be retired at the two Green units represents stranded costs.
13. In the event the Commission approves BREC's petition for a regulatory asset to recover the \$67.3 million in undepreciated value of the coal-firing assets the Company proposes to prematurely retire on an amortized basis through 2043, provide the monthly bill impact to the average retail residential customer.
14. Confirm that BREC is requesting that the Commission include the proposed regulatory asset in the list of "Smelter Loss Mitigation Regulatory Assets" that the Company is amortizing pursuant to the Commission's final order in Case No. 2020-00064.
15. Explain whether the premature retirement of the coal-firing components of the Green units could allow BREC to utilize any pollution control credits to be applied for the Wilson generating unit. If so, provide the monetary value thereof, if determinable.
16. In the event the Commission approves the CPCN, explain whether BREC will have to undertake any type or sort of winterization of any of the gas and water supply components of the re-fired Green units. If so, provide the applicable cost projections.
17. In the event the Commission approves the CPCN, explain whether BREC anticipates the re-fired Green units will continue to be dispatched as frequently as they are today.
18. Explain whether BREC conducted any analysis regarding the cost-effectiveness of constructing a smaller natural gas combined cycle unit than the one originally envisioned in BREC's IRP Case No. 2020-00299 together with the permanent retirement of the Green units, in comparison to the cost-effectiveness of retrofitting the Green units for gas firing.
19. Provide a discussion regarding any potential financial ramifications of the MISO Capacity Zonal Resource Credit being reduced from 432 MW (Green units being coal-fired) to 373 MW (Green units being gas-fired).

Application of Big Rivers Electric Corporation for a Certificate of Public Convenience and Necessity  
Authorizing the Conversion of the Green Station Units to Natural Gas-Fired Units and an Order  
Approving the Establishment of a Regulatory Asset  
Attorney General's Initial Data Requests  
Case No. 2021-00079

20. Given the dwindling number of BREC's electric production assets, explain whether the Company has considered a financial hedge product for the proposed non-firm gas supply contract for the Green units.