

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

IN THE MATTER OF:

THE ELECTRONIC APPLICATION OF EAST  
KENTUCKY POWER COOPERATIVE INC. FOR A  
GENERAL ADJUSTMENT OF RATES, APPROVAL OF  
DEPRECIATION STUDY, AMORTIZATION OF  
CERTAIN REGULATORY ASSETS, AND OTHER  
RELIEF

:  
:  
:  
:  
:  
:  
:  
:  
:

Case No. 2021-00103

---

**MOTION TO INTERVENE OF  
NUCOR STEEL GALLATIN**

---

Pursuant to 807 KAR 5:001, Section 4(11), KRS 278.310, and KRS 278.040(2), Nucor Steel Gallatin (“Nucor”) 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. Nucor is the largest end-use customer located in the Owen Electric Cooperative (“Owen”) service territory. Owen is in turn provided with generation and transmission (“G&T”) service by East Kentucky Power Cooperative, Inc. (“EKPC” or “Company”).
6. Although EKPC’s Application and testimony have not been filed as of the filing of this Intervention, the matters being decided by the Commission in this case will undoubtedly have a significant impact on the rates paid

by Nucor for electricity. Electricity represents a significant cost of doing business for Nucor. The attorneys for Nucor authorized to represent them in this proceeding and to take service of all documents are:

Michael L. Kurtz, Esq  
Kurt J. Boehm, Esq.  
Jody Kyler Cohn, Esq.  
**BOEHM, KURTZ & LOWRY**  
36 East Seventh Street, Suite 1510  
Cincinnati, Ohio 45202  
Ph: (513) 421-2255 Fax: (513) 421-2764  
E-Mail: [mkurtz@bkllawfirm.com](mailto:mkurtz@bkllawfirm.com)  
[kboehm@bkllawfirm.com](mailto:kboehm@bkllawfirm.com)  
[jkylercohn@bkllawfirm.com](mailto:jkylercohn@bkllawfirm.com)

7. Nucor has filed a timely motion to intervene in this proceeding.
8. Nucor's 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, Nucor's interest is exclusively related to a large energy-intensive industrial customer.
9. The position of Nucor cannot be adequately represented by any existing party. Further, Nucor intends to play a constructive role in the Commission's decision-making process.
10. Nucor's intervention will not unduly complicate or disrupt the proceedings.

**WHEREFORE**, Nucor requests that it be granted full intervenor status in the above-captioned proceeding.

Respectfully submitted,

/s/ Michael L. Kurtz  
Michael L. Kurtz, Esq.  
Kurt J. Boehm, Esq.  
Jody Kyler Cohn, Esq.  
**BOEHM, KURTZ & LOWRY**  
36 East Seventh Street, Suite 1510  
Cincinnati, Ohio 45202  
513.421.2255 Fax: 513.421.2764  
E: mail: [mkurtz@BKLLawfirm.com](mailto:mkurtz@BKLLawfirm.com)  
[kboehm@BKLLawfirm.com](mailto:kboehm@BKLLawfirm.com)  
[jkylercohn@BKLLawfirm.com](mailto:jkylercohn@BKLLawfirm.com)

**COUNSEL FOR NUCOR STEEL GALLATIN**

March 16, 2021