

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

In the Matter of:

ELECTRONIC 2021 JOINT)	
INTEGRATED RESOURCE PLAN)	CASE NO.
OF LOUISVILLE GAS AND)	2021-00393
ELECTRIC COMPANY AND)	
KENTUCKY UTILITIES COMPANY)	

SIERRA CLUB’S SUPPLEMENTAL REQUESTS FOR INFORMATION

Pursuant to the Kentucky Public Service Commission’s (“Commission”) November 12, 2021, Order (“Scheduling Order”), Sierra Club hereby propounds the following requests for information on Louisville Gas and Electric Company (“LG&E”) and Kentucky Utilities Company (“KU”) (jointly the “Companies”) in the above-captioned proceeding concerning the Companies’ 2021 Joint Integrated Resource Plan (“IRP”).

The Companies shall answer these requests for information in the manner set forth in the Scheduling Order, by no later than March 25, 2022. Please produce the requested documents in electronic format to:

Matthew E. Miller
2528 California Street
Denver, CO 80205
Email: matthew.miller@sierraclub.org

If a response to a request consists of a statement that the requested information is already available to Sierra Club, provide a detailed citation to the document that contains the information. This citation shall include the title of the document, relevant page number(s), and to the extent possible paragraph number(s) and/or chart(s)/table(s)/figure number(s).

In the event that any document referred to in response to any request for information has been destroyed, specify the date and the manner of such destruction, the reason for such destruction, the person authorizing the destruction and the custodian of the document at the time of its destruction.

Sierra Club reserves the right to serve supplemental, revised, or additional discovery requests as permitted in this proceeding.

DEFINITIONS

Unless otherwise specified in each individual interrogatory or request “LG&E,” refers to Louisville Gas and Electric Company and its affiliates, officers, directors, employees, and agents; “KU” refers to Kentucky Utilities Company and its affiliates, officers, directors, employees, and agents; and “you,” “your,” and the “Companies” refer to LG&E and KU jointly, or to either Company as may make sense in context.

“And” and “or” shall be construed either conjunctively or disjunctively as required by the context to bring within the scope of these interrogatories and requests for production of documents any information which might be deemed outside their scope by another construction.

“Any” means all or each and every example of the requested information.

“Communication” means any transmission or exchange of information between two or more persons, whether orally or in writing, and includes, without limitation, any conversation or discussion by means of letter, telephone, note, memorandum, telegraph, telex, telecopy, cable, email, or any other electronic or other medium.

“Document” refers to written matter of any kind, regardless of its form, and to information recorded on any storage medium, whether in electrical, optical or electromagnetic form, and capable of reduction to writing by the use of computer hardware and software, and

includes all copies, drafts, proofs, both originals and copies either (1) in the possession, custody or control of the Companies regardless of where located, or (2) produced or generated by, known to or seen by the Companies, but now in their possession, custody or control, regardless of where located whether or still in existence. Without limitation, the term “control” as used in this paragraph means that you have the right to secure the document or a copy thereof from another person or public or private entity having actual possession thereof. If a document is responsive to a request, but is not in your possession or custody, identify the person with possession or custody. If any document was in your possession or subject to your control, and is no longer, state what disposition was made of it, by whom, the date on which such disposition was made, and why such disposition was made.

Such “documents” shall include, but are not limited to, applications, permits, monitoring reports, computer printouts, contracts, leases, agreements, papers, photographs, tape recordings, transcripts, letters or other forms of correspondence, folders or similar containers, programs, telex, TWX and other teletype communications, memoranda, reports, studies, summaries, minutes, minute books, circulars, notes (whether typewritten, handwritten or otherwise), agenda, bulletins, notices, announcements, instructions, charts, tables, manuals, brochures, magazines, pamphlets, lists, logs, telegrams, drawings, sketches, plans, specifications, diagrams, drafts, books and records, formal records, notebooks, diaries, registers, analyses, projections, email correspondence or communications and other data compilations from which information can be obtained (including matter used in data processing) or translated, and any other printed, written, recorded, stenographic, computer-generated, computer-stored, or electronically stored matter, however and by whomever produced, prepared, reproduced, disseminated or made. For purposes of the production of “documents,” the term shall include copies of all documents being produced,

to the extent the copies are not identical to the original, thus requiring the production of copies that contain any markings, additions or deletions that make them different in any way from the original.

“DSM” means “demand-side management”.

“EE” means “energy efficiency”.

“GHG” means greenhouse gas.

“ICPA” refers to Inter-Company Power Agreement of the Ohio Valley Electric Corporation.

“Identify” means:

- (a) With respect to a person, to state the person’s name, address and business relationship (e.g., “employee”) vis-à-vis the Company;
- (b) With respect to a document, to state the nature of the document in sufficient detail for identification in a request for production, its date, its author, and to identify its custodian.

If the information or document identified is recorded in electrical, optical or electromagnetic form, identification includes a description of the computer hardware or software required to reduce it to readable form.

“OVEC” means the Ohio Valley Electric Corporation, including its wholly owned subsidiary Indiana-Kentucky Electric Corporation, and “OVEC Units” means the Clifty Creek Generating Station (Units 1-6) as well as Kyger Creek Generating Station (Units 1-5).

“Relating to” or “concerning” means and includes pertaining to, referring to, or having as a subject matter, directly or indirectly, expressly or implied, the subject matter of the request.

“Workpapers” are defined as original, electronic, machine-readable, unlocked, Excel format (where possible) with formulas intact.

PRIVILEGE

If you claim a privilege including, but not limited to, the attorney-client privilege or the work product doctrine, as grounds for not fully and completely responding to any interrogatory or request for production, describe the basis for your claim of privilege in sufficient detail so as to permit the Sierra Club and the Commission to evaluate the validity of the claim. With respect to documents for which a privilege is claimed, produce a “privilege log” that identifies the author, recipient, date and subject matter of the documents or interrogatory answers for which you are asserting a claim of privilege and any other information pertinent to the claim that would enable Sierra Club and the Commission to evaluate the validity of such claims.

TIME

Unless otherwise provided, the applicable time period for each of these requests for information is January 1, 2018, to the present.

REQUESTS FOR INFORMATION

1. Reference PPL’s 2021 Climate Assessment Report, including, *inter alia*, its statements “we are committed to delivering a net-zero carbon future,” “we highlight risks and opportunities associated with climate change,” “we continue to transition our Kentucky coal-fired generation ... and replace it with non-emitting generation,” “we believe the IPCC’s work is among the most respected and robust analyses,” and acknowledging that the IPCC’s Sixth Assessment Report observes that “[h]uman-induced climate change is already affecting many weather and climate extremes in every region across the globe,” and “[f]uture greenhouse gas emissions will cause future additional warming, with total warming dominated by CO2 emissions.”¹ Further reference the following excerpt reported in January 2022 by a Louisville local news outlet: “When WFPL News spoke to Sinclair, the vice president of energy supply and analysis at LG&E in November, he was reluctant to acknowledge utilities’ role in global warming. ‘Certainly the climate changes... there’s no doubt about that so I’m not sure what you are trying to drive at there,’ Sinclair said when asked if he believed in climate change.”²

¹ *Energy Forward: PPL’s 2021 Climate Assessment Report*, at 3, 17, available at https://www.pplweb.com/wp-content/uploads/2022/01/PPL_Corp-2021-Climate-Assessment_2022-01-04.pdf.

² “Louisville activists call on utilities, regulators to act on climate change” (Jan. 25, 2022), Ryan Van veltzer, WFPL News, available at <https://wfpl.org/louisville-activists-call-on-utilities-regulators-to-act-on-climate-change/>.

- a) Please confirm whether LG&E and KU acknowledge that human activities are the main driver of current global climate change³; the scale of current climate change is unprecedented in hundreds, to hundreds of thousands, of years, at the least⁴; and a principal cause thereof is CO2 emissions from fossil-burning power plants such as those owned and operated by the Companies (among many others).⁵ If not, please explain specifically how/why not, and cite authorities supporting that view.
- b) Please confirm whether Mr. Sinclair acknowledges that human activities are the main driver of current global climate change; the scale of current climate change is unprecedented in hundreds, to hundreds of thousands, of years, at the least; and a principal cause thereof is GHG emissions from fossil-burning power plants such as those owned and operated by the Companies (among many others). If not, please explain specifically how/why not, and cite authorities supporting that view.

Dated: March 4, 2022

Respectfully submitted,



Of counsel
(not licensed in Kentucky):

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Counsel for Sierra Club

³ See, e.g., IPCC Sixth Assessment Report, at SPM-5–SPM-6, available at https://www.ipcc.ch/report/ar6/wg1/downloads/report/IPCC_AR6_WGI_Full_Report.pdf.

⁴ See, e.g., *id.* at SPM-9.

⁵ See, e.g., *id.* at 6-130, 6-145; see also, e.g., IPCC Fifth Assessment Report: Working Group I, Physical Science Basis, at 474, 486-87, 720, available at https://www.ipcc.ch/site/assets/uploads/2018/02/WG1AR5_all_final.pdf.

CERTIFICATE OF SERVICE

This is to certify that the foregoing copy of SIERRA CLUB'S SUPPLEMENTAL REQUESTS FOR INFORMATION in this action is being electronically transmitted to the Commission on March 4, 2022, and that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding.



JOE F. CHILDERS