

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

IN THE MATTER OF: :
: :
ELECTRONIC TARIFF FILING OF EAST KENTUCKY : Case No. 2021-00429
POWER COOPERATIVE, INC. TO ESTABLISH ITS :
EARNINGS MECHANISM TARIFF :

**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 electric 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”).

4. The matters being decided by the Commission in this case will have a significant impact on the rates paid by Nucor for electricity. Further, Nucor was a signatory party to the Joint Stipulation, Settlement Agreement and Recommendation filed July 29, 2021 in Case No. 2021-00103 in which EKPC agreed to file the Earnings Mechanism tariff at issue in this proceeding. Hence, Nucor has a vested interest in the resolution of the above-captioned matter.

5. The attorneys for Nucor authorized to represent them in this proceeding and to take service of all documents are:

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6. Nucor has filed a timely motion to intervene in this proceeding.

7. 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.

8. 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.

9. 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

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