

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

**In the Matter of:**

<b>ELECTRONIC APPLICATION OF DUKE ENERGY</b>	<b>)</b>	
<b>KENTUCKY, INC. FOR (1) AN ADJUSTMENT OF</b>	<b>)</b>	
<b>ELECTRIC RATES; (2) APPROVAL OF NEW</b>	<b>)</b>	<b>CASE NO. 2022-00372</b>
<b>TARIFFS; (3) APPROVAL OF ACCOUNTING</b>	<b>)</b>	
<b>PRACTICES TO ESTABLISH REGULATORY</b>	<b>)</b>	
<b>ASSETS AND LIABILITIES; AND (4) ALL OTHER</b>	<b>)</b>	
<b>REQUIRED APPROVALS AND RELIEF</b>	<b>)</b>	

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**ATTORNEY GENERAL’S SECOND REQUEST FOR INFORMATION ON  
REHEARING TO DUKE ENERGY KENTUCKY, INC.**

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Comes now the intervenor, the Attorney General of the Commonwealth of Kentucky, through his Office of Rate Intervention (“Attorney General”), and submits the Second Request for Information on Rehearing to Duke Energy Kentucky, Inc. (hereinafter “Duke Kentucky” or the “Company”) on rehearing to be answered by January 26, 2024, 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 requested 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.
- (4) These requests shall be deemed continuing so as to require further and supplemental responses if the company receives or generates 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, please request clarification directly from undersigned Counsel for the Office of Attorney General.

(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, please identify each variable contained in the printout, which would not be self-evident to a person not familiar with the printout.

(9) If the company has objections to any request on the grounds that the requested information is proprietary in nature, or for any other reason, notify the Office of the Attorney General as soon as possible, and in accordance with Commission direction.

(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 company, please 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,

RUSSELL COLEMAN  
ATTORNEY GENERAL



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ANGELA M. GOAD  
J. MICHAEL WEST  
LAWRENCE W. COOK  
JOHN G. HORNE II  
ASSISTANT ATTORNEYS GENERAL  
1024 CAPITAL CENTER DRIVE, SUITE 200  
FRANKFORT, KY 40601  
PHONE: (502) 696-5421  
FAX: (502) 564-2698  
[Angela.Goad@ky.gov](mailto:Angela.Goad@ky.gov)  
[Michael.West@ky.gov](mailto:Michael.West@ky.gov)  
[Larry.Cook@ky.gov](mailto:Larry.Cook@ky.gov)  
[John.Horne@ky.gov](mailto:John.Horne@ky.gov)

**Certificate of Service and Filing**

Pursuant to the Commission's Orders and in accord with all other applicable law, Counsel certifies that the foregoing electronic filing was transmitted to the Commission on January 12, 2024, and there are currently no parties that the Commission has excused from participation by electronic means in this proceeding.

This 12<sup>th</sup> day of January, 2024,



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Assistant Attorney General

Electronic Application of Duke Energy Kentucky, Inc. for (1) An Adjustment of Electric Rates;  
(2) Approval of New Tariffs; (3) Approval of Accounting Practices to Establish Regulatory  
Assets and Liabilities; and (4) All Other Required Approvals and Relief  
Case No. 2022-00372

1. Refer to Duke Kentucky's response to the Attorney General's First Request for Information on Rehearing ("First Request on Rehearing"), Item 3(a). Specifically, refer to the Excel workbooks that Duke Kentucky provided as Attachments 1, 2, and 3. The Attorney General's original request specifically asked for the Excel workbook underlying the calculations in live Excel format with all formulas intact. However, the Excel workbooks provided do not include all formulas. For example, Attachment 1, Column G provided the decommissioning costs in future dollars for the solar assets, but only as values, not the result of calculations, which is what Item 3(a) requested. Further example is Attachment 1, Column K provided the terminal net salvage percentages, but only as values, not the result of calculations. Provide a revised version of each of the Excel workbooks with all formulas intact. If not provided, then explain in detail as to why Duke Kentucky cannot or will not provide this information.
2. Refer to Duke Kentucky's response to the Attorney General's First Request on Rehearing, Item 5. The original question specifically asked Duke Kentucky to, "[c]onfirm that there is no Generally Accepted Accounting Principles ("GAAP") accounting requirement to record decommissioning expense during the service lives of generating assets unless it is authorized by the regulator for recovery in regulated utility rates." The Company's response failed to address GAAP requirements, but instead addressed its understanding of the FERC USOA requirements. Provide a response to the original question as posed. If not provided, then explain in detail as to why Duke Kentucky cannot or will not provide a response.

Electronic Application of Duke Energy Kentucky, Inc. for (1) An Adjustment of Electric Rates; (2) Approval of New Tariffs; (3) Approval of Accounting Practices to Establish Regulatory Assets and Liabilities; and (4) All Other Required Approvals and Relief  
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3. Refer to Duke Kentucky’s response to the Attorney General’s First Request on Rehearing, Item 9. The original question asked Duke Kentucky to, “[c]onfirm that the Commission removed all decommissioning costs from Kentucky Power Company’s depreciation rates for generating units in its final Order in Case 2017-00179.<sup>1</sup> If not confirmed, explain in detail why not.” The Company’s response states in part, “[o]bjection. This request seeks a legal opinion...” The response also states that, “[m]oreover, this request is objectionable insofar as it misstates and misconstrues facts.” Further refer to the Settlement Agreement attached to the Commission’s Order in Case 2017-00179, which states in paragraph 7, page 10 that, “Kentucky Power has adjusted depreciation rates for Big Sandy Unit 1 and for the Mitchell Plant to remove terminal net salvage costs.” In addition, the Commission’s final Order in Case No. 2017-00179, states on page 75, “Kentucky Power's proposed depreciation rates, with the exception of the changes proposed in the Settlement are approved.”
  - a. As originally requested, confirm that the Commission approved the settlement agreement that removed all decommissioning costs from Kentucky Power Company’s depreciation rates for generating units in its final Order in Case 2017-00179. If not confirmed, explain in detail why not.
  - b. Provide the specific facts that Duke Kentucky asserts are misstated or misconstrued in the original request. If none, then so state. In addition, provide

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<sup>1</sup> Case No. 2017-00179, *Electronic Application of Kentucky Power Company for (1) A General Adjustment of its Rates for Electric Service; (2) An Order Approving its 2017 Environmental Compliance Plan; (3) An Order Approving its Tariffs and Riders; (4) An Order Approving Accounting Practices to Establish Regulatory Assets and Liabilities; and (5) An Order Granting all Other Required Approvals and Relief* (Ky. PSC. Jan. 18, 2018), Order at 75.

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(2) Approval of New Tariffs; (3) Approval of Accounting Practices to Establish Regulatory  
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all specific evidence relied on by the Company to make this claim. If none,  
then so state.