

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC PETITION OF KENERGY CORP.)	CASE NO.
FOR A DECLARATORY ORDER)	2023-00309

**KENTUCKY SOLAR INDUSTRIES ASSOCIATION, INC.
MOTION TO INTERVENE**

Comes now the Kentucky Solar Industries Association, Inc. (KYSEIA), by and through counsel, and moves for leave to intervene into the instant case. In support of its motion to intervene, KYSEIA states the following.

1. KYSEIA is the assumed name of the Kentucky Solar Industries Association, Inc., a Kentucky nonprofit in good standing with the Kentucky Secretary of State.
2. KYSEIA's mailing address, electronic mail address, and other contact information:

Kentucky Industries Solar Association, Inc.
ATTN: Matt Partymiller
1038 Brentwood Court, Ste. B
Lexington, Kentucky 40511
(877) 312-7456
matt@solar-energy-solutions.com

3. The purpose of KYSEIA includes, among other things, promoting the exchange of knowledge for solar energy and advocate on behalf of solar energy constituents and members. KYSEIA will participate in this proceeding through:
 - a. Matt Partymiller, President of KYSEIA. KYSEIA has special and distinct interests on behalf of its members, including its specific member below, but also as a solar association that represents solar companies that must disseminate information and calculate costs and rates of return based upon

Kenergy Corp's. ("Kenergy") net metering tariff and the interconnection of systems.

- b. Roger Shocklee, Livermore, Kentucky, is a member of KYSEIA and a Kenergy Corp. member/customer with net metering service through multiple meters and with an interest in applying for on behalf of or receiving additional net metering service from Kenergy for certain of his business entities. Mr. Shocklee and his businesses have a present interest in the declaration sought by Kenergy.
4. Kenergy's net metering applicants and members apply for and receive service under tariff provisions unique to net metering; accordingly, their interests are not similar to other applicants and members who apply for and receive service under other Kenergy tariffs.
5. Through the pending petition, Kenergy seeks a declaration concerning its interpretation of its Schedule 46. Kenergy proposes to deny the connection of certain proposed solar facilities to Kenergy's system. Kenergy also proposes a specific treatment for cost assignments for connecting certain proposed solar facilities. The interests of applicants and members for such connections and cost assignments are not similar to other members who apply for service under Kenergy's other tariffs.
6. KYSEIA has a special and distinct interest in these interconnection policies, procedures, and costs, as it not only represents customer generators and potential customer generators who are subject to those procedures, policies, and costs, it also represents the solar companies that will ultimately be assisting these

customers and potential customers in complying with the determinations made through this declaration process. This is especially important to KYSEIA, as the Commission has recognized that the existing interconnection guidelines for distributed generation established in Case No. 2008-001698 must be updated, and has filed an administrative case to do so.¹ KYSEIA has been granted full intervention in that case.² KYSEIA is the primary entity representing solar companies and customer generators on issues related to interconnection and therefore has special and distinct interests that will not otherwise be adequately represented by any other party in this proceeding.

7. The interests of applicants for Kenergy's net metering service and members receiving net metering service are separate and distinct from the interests of other customers of Kenergy. The special interests of Kenergy's net metering customers will not otherwise be adequately represented by any other party to this proceeding.
8. KYSEIA has extensive knowledge regarding net metering service including interconnection and subject-matter expertise concerning issues pertinent to this proceeding and 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.

¹ Case No. 2019-00256, *Electronic Consideration of the Implementation of the Net Metering Act* (Ky. PSC Dec. 18, 2019), Order at 34. KYSEIA participated and submitted substantial comments in that case, as noted by the Order. *See id.*, at 19-23, 34. *See also* Case No. 2020-00302, *Investigation of Interconnection and Net Metering Guidelines*.

² Case No. 2020-00302, *Investigation of Interconnection and Net Metering Guidelines* (Ky. PSC Nov. 6, 2020), Order at 1.

9. There is no Order of procedure establishing a deadline for seeking intervention; therefore, KYSEIA's motion to intervene is filed prior to any deadline for per a procedural schedule.³ KYSEIA's motion is timely.

WHEREFORE, KYSEIA respectfully moves for and requests an Order from this Commission granting it intervention into the instant proceeding with full rights of a party.

Respectfully submitted,

/s/ David E. Spenard

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Notice And Certification For Filing

Undersigned counsel provides notice that the electronic version of the paper has been submitted to the Commission by uploading it using the Commission's E-Filing System on this 13^h day of October, 2023, in conformity with the Commission's April 14, 2023 Order of procedure in the instant case. Pursuant to the Commission's Orders in Case No. 2020-00085, *Electronic Emergency Docket Related to Novel Coronavirus Covid-19*, the paper, in paper medium, is not required to be filed.

/s/ David E. Spenard

Notice And Certification Concerning Service

No party has been excused from the electronic filing procedures in the instant proceeding.

/s/ David E. Spenard

³ (Ky. PSC Dec. 9, 2020), Order, Appendix at 1.

