

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC TARIFF FILING OF BIG RIVERS)	Case No.
ELECTRIC CORPORATION AND KENERGY)	2023-00312
CORP. TO REVISE THE LARGE INDUSTRIAL)	
CUSTOMER STANDBY SERVICE TARIFF)	

BIG RIVERS ELECTRIC CORPORATION AND KENERGY CORP.’S
FIRST REQUESTS FOR INFORMATION TO
KIMBERLY-CLARK CORPORATION

In accordance with the Scheduling Order by the Public Service Commission (“Commission”), Big Rivers Electric Corporation (“Big Rivers”) and Kenergy Corp. (“Kenergy”), by counsel, hereby request the response of Kimberly-Clark Corporation to the following Requests for Information.

DEFINITIONS

1. Whenever it is necessary to bring within the scope of these information requests documents that might otherwise be construed to be outside their scope: (1) the use of “and” as well as “or” shall be construed both disjunctively and conjunctively; (2) the use of a word in its singular form shall be construed to include within its meaning its plural form as well, and vice versa; (3) the use of “include” and “including” shall be construed to mean “without limitation”; and (4) the use of a verb in any tense or voice shall be construed as the use of that verb in all other tenses and voices.

2. “**Commission**” means the Kentucky Public Service Commission.

3. “**Document**” means any written, recorded, transcribed, printed, or impressed matter of whatever kind, however produced, stored or reproduced, including but not limited to sound or pictorial recordings, computerized or electronic information, books, pamphlets, letters,

memoranda, telegrams, electronic or mechanical transmissions, communications of all kinds, reports, notes, working papers, handwritings, charts, paper, writings, printings, transcriptions, tapes and records of all kinds. “Document” includes, without limitation, all workpapers produced by or relied upon by a witness.

4. **“Identify”** mean the following:

a: when identifying a person, to give such person’s:

- (1) full name;
- (2) business address, residence address (if no business address is available), and telephone number;
- (3) his or her present or last known position and business affiliation at the time in question; and
- (4) the nature of such person’s participation in, and the scope of his/her responsibility with regard to, the facts and events underlying the present matter;

b: when identify an oral communication, to:

- (1) identify the author(s) thereof and the parties thereto;
- (2) state the date of the communication;
- (3) state the place of the communication;
- (4) state the substance of the communication; and
- (5) state whether such communication has been reduced to writing and, if so, identify each document and the present custodian thereof;

c: when identifying other information, to state:

- (1) the source thereof;
- (2) any oral communications pertaining thereto;
- (3) any documents pertaining thereto; and
- (4) the substance of the information;

d: when identifying a document, to:

- (1) identify the author thereof and the parties thereto;
- (2) state its title or other identifying data;
- (3) state the date of the document or, if no date appears thereon, the approximate date;
- (4) state the exact nature and substance thereof;
- (5) identify each person having possession, care, custody, or control of the original and any copies thereof; and
- (6) if such document was, but no longer is, in your possession or subject to your control, state what disposition was made of it.

5. “**Person**” includes a natural person, a business organization of any type, an unincorporated association, a governmental subdivision, agency, or entity, and a business trust.

6. “**Big Rivers**” and “**Kenergy**” shall mean Big Rivers Electric Corporation and Kenergy Corp. as defined and identified in the first paragraph of this Request for Information.

8. “**You**” or “**Your**” means Kimberly Clark Corporation, an intervenor in this action, and its agents, officers, employees, commissioners, consultants, and witnesses.

GENERAL INSTRUCTIONS

1. Please identify the witness who will be prepared to answer questions concerning each request.

2. If any request appears confusing, please request clarification directly from the undersigned.

3. 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.

4. If you object to any request on the grounds that the requested information is proprietary in nature, or for any other reasons, please notify the undersigned as soon as possible.

5. 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 of and legal basis for the privilege asserted.

6. To the extent that a request calls for information not available for all categories or all periods of time for which the information is sought, please explain why the information is not available and answer the request for the time or categories for which it is available.

7. These requests shall be deemed continuing, and you should serve upon counsel: (1) supplemental responses to these data requests if additional information or information that changes your response to any data request is obtained during the course of this proceeding; and (2) any documents requested herein that become available or that are discovered after the date your responses to these requests are due.

REQUEST FOR INFORMATION

1. Refer to the testimony of Mr. Blank, page 2, lines 1-5. Please confirm whether Mr. Blank has ever testified before the Kentucky Public Service Commission. If so, please provide the relevant docket numbers.
2. Refer to the testimony of Mr. Blank, pages 1-2. Does Mr. Blank have any specific experience in the development of a standby and maintenance power rate? If so, please describe that experience and include case or docket numbers of regulatory proceedings that Mr. Blank has testified in on the subject of standby and maintenance power rates.
3. Did Mr. Blank review any other utility standby rate schedules in conjunction with the development of his direct testimony? If so, please provide the utility name, rate schedule name(s), and a copy of the rate schedule. If not, please explain why not.
4. Did Mr. Blank conduct any mathematical, comparative, or similar analysis involving the actual rates paid or to be paid by Kimberly-Clark? Please provide all workpapers in functioning electronic format with formulas intact.

5. Identify and describe in detail all efforts, historical and current, with respect to the accreditation of Kimberly-Clark's generator as a behind-the-meter generator with MISO. Please provide all related communications and documents.
6. Please identify any RTOs from which Kimberly-Clark or any of its operating affiliates has sought accreditation for behind the meter generation. For each such instance, please provide the following information:
 - i. identify the name of the RTO;
 - ii. describe in detail the process followed in order to obtain accreditation;
 - iii. identify the amounts and nature of all costs incurred in connection therewith;
 - iv. identify the nameplate capacity for the behind the meter generation accredited;
 - v. identify the capacity for which the RTO accredited you and the date(s) of accreditation; and
 - vi. if accreditation was denied (in whole or in part), provide a detailed explanation of why accreditation was denied and all documentation provided by the RTO regarding such denial.
7. Refer to the testimony of Mr. Steven Cassady, page 6, lines 14-16. Please describe in detail the basis for the projected Standby Demand Charges. Please provide all documents and information upon which you relied in connection with this projection, including all workpapers in functioning electronic format with formulas intact.
8. Refer to the testimony of Mr. Steven Cassady, Exhibit SC-1. Please explain why the exhibit excludes sites with stand-alone on-site generation. Further, please identify and describe each of Kimberly-Clark's listed facilities, including its location, source of energy supply, agreement or tariff pursuant to which it obtains energy, relevant RTO or balancing authority, on-site generation, and detailed electricity cost information by month for the past five (5) years.
9. Refer to the testimony of Mr. Timothy Honadle, page 11, lines 5-11. Please explain what is meant by "more efficient" in line 10. Is it Kimberly-Clark's contention that if backup demand cost was proportional to backup energy actually delivered, Kimberly-Clark would operate less during forced and planned outages?
10. Refer to the testimony of Mr. Larry Blank, page 5, lines 7-14. Please identify and describe, in detail, the 50% of standard monthly demand costs that a utility does not incur in connection with backup demand that the utility does incur in connection with "standard demand." Please provide all documents and information upon

which you relied in connection with this projection, including all workpapers in functioning electronic format with formulas intact.

11. Refer to the testimony of Mr. Larry Blank, page 8, lines 15-18. Please explain whether and why Kimberly-Clark believes backup demand charges should disincentivize use of backup power.
12. Refer to the testimony of Mr. Larry Blank, pages 8-9, lines 20-2. Under the hypothetical presented, does Kimberly-Clark believe it would not pay any demand charge in connection with its use of power?
13. Refer to the testimony of Mr. Larry Blank, page 9, lines 4-10.
 - i. Explain why “customer generator reliability is important to system reliability.”
 - ii. Does a customer’s generator’s reliability impact utility system reliability if the utility has designed and maintained its system and forecasted its load to ensure fully-sufficient, reliable, cost-effective power is available to that customer generator, irrespective of the customer’s generator’s reliability?
14. Refer to the testimony of Mr. Larry Blank, page 10, lines 14-21. If Big Rivers and/or Kenergy relies on a customer’s Generator Outage Rate in its capacity planning, but the customer’s generation is ultimately less reliable than anticipated (e.g., due to poor maintenance practices, unrelated operational issues, etc.), does Big Rivers and/or Kenergy bear the cost-related and reliability-related risks attendant to the unplanned need for energy? Please explain in detail.
15. Refer to the testimony of Mr. Larry Blank, page 14, lines 6-10. Explain the difference to Big Rivers and/or Kenergy with respect to demand costs between providing backup service to “a customer with a five minute outage [and] the same customer with a 5 day outage.” Additionally, explain why the price per kW charged by Big Rivers and/or Kenergy should “distinguish between customers with frequent outages versus customers with no outages.”
16. Does Kimberly-Clark believe a utility incurs demand-related costs in connection with the provision of maintenance power that are not already incurred in connection with the utility’s provision of backup power? If not, explain the need for separate rates.
17. Please provide a copy of any agreement between Kimberly-Clark and Mr. Blank.

On this the 18th day of December, 2023.

Respectfully submitted,

/s/ Edward T. Depp
Edward T. Depp
DINSMORE & SHOHL LLP
101 South 5th Street, Suite 2500
Louisville, KY 40202
Telephone: (502) 540-2347
Facsimile: (502) 585-2207
tip.depp@dinsmore.com

M. Evan Buckley
DINSMORE & SHOHL LLP
100 West Main Street, Suite 900
Lexington, KY 40507
Telephone: (859) 425-1000
Facsimile: (859) 425-1099
evan.buckley@dinsmore.com

Counsel to Big Rivers Electric Corporation

and

/s/ J. Christopher Hopgood
J. Christopher Hopgood
DORSEY, GRAY, NORMENT & HOPGOOD
318 Second Street
Henderson, KY 42420
Telephone (270) 826-3965
Telefax (270) 826-6672
e.hopgood@dkgnlaw.com

Counsel for Kenergy Corp.

Certification

I hereby certify that a copy of this filing has been served electronically on all parties of record through the use of the Commission's electronic filing system, and there are currently no parties that the Commission has excused from participation by electronic means. Pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085, a paper copy of this filing has not been transmitted to the Commission.

/s/ Edward T. Depp
Counsel to Big Rivers Electric Corporation