

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

In the Matter of:

ELECTRONIC APPLICATION OF DUKE)
ENERGY KENTUCKY, INC. FOR AN) Case No. 2023-00413
ADJUSTMENT TO RIDER NM RATES AND)
FOR TARIFF APPROVAL)

**PETITION FOR REHEARING OF JOINT INTERVENORS
KENTUCKY SOLAR ENERGY SOCIETY AND
KENTUCKIANS FOR THE COMMONWEALTH**

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I. Introduction

Joint Intervenors respectfully request that the Commission grant rehearing with regard to three issues. First, the Joint Intervenors request the Commission more clearly define the avoided costs that compose the “bill credit” in the Oct. 11 Order. Second, Joint Intervenors request consideration of changes to certain specific components of those avoided costs. Finally, Joint Intervenors request the Commission reconsider its deviation from past precedent with respect to the methodology for calculating the amount of energy Net Metering 2 customers will receive.

II. Argument

A. Applicable Legal Standard

Any party to a proceeding before the Commission “may, within twenty (20) days after the service of the order, apply for a hearing with respect to any of the matters

determined.”¹ Rehearing is appropriate to hear “new evidence not readily discoverable at the time of the original hearings, to correct any material errors or omissions, or to correct findings that are unreasonable or unlawful.”² Findings are unreasonable where “the evidence presented leaves no room for difference of opinion among reasonable minds.”³

Several applicable statutes govern the setting of compensation for net metering customers specifically. However, at the outset, utilities are only entitled to “demand, collect and receive fair, just and reasonable rates.”⁴ Furthermore, it is the burden of the utility to show that any rate or charge is just and reasonable.⁵

The same ratemaking process applies in setting net metering rates pursuant to KRS 278.466, which requires “[e]ach retail electric supplier shall make net metering available to any eligible customer-generator that the supplier currently serves or solicits for service,”⁶ and that “[t]he rate to be used for such compensation shall be set by the commission using the ratemaking processes under this chapter during a proceeding initiated by a retail electric supplier....”⁷

“Net metering” is defined as

the difference between the:

(a) Dollar value of all electricity generated by an eligible customer-generator that is fed back to the electric grid over a billing period and priced as prescribed in KRS 278.466; and

¹ KRS 278.400.

² *In re: Elec. Application of Big Rivers Elec. Corp. for Ann. Rev. of Its MRS M Charge for Calendar Year 2022*, Case No. 2023-00038, 2023 WL 7220130, at *1 (Ky. P.S.C. Oct. 26, 2023).

³ *Id.* (quoting *Energy Regul. Comm’n v. Ky. Power Co.*, 605 S.W. 2d 46 (Ky. App. 1980)).

⁴ KRS 278.030(1).

⁵ KRS 278.190(3).

⁶ KRS 278.466(1).

⁷ *Id.* at (3).

(b) Dollar value of all electricity consumed by the eligible customer-generator over the same billing period and priced using the applicable tariff of the retail electric supplier.⁸

In previous net metering rate cases the Commission set both principles for determining appropriate rates, as well as components of costs and benefits for compensation, and determined the proper interpretation of the method for netting. The five “Principles for Compensation for Eligible Customer-Generators” set by the Commission are:

- Evaluate eligible generating facilities as a utility system or supply side resource;
- Treat benefits and costs symmetrically;
- Conduct forward-looking, long-term, and incremental analysis.
- Avoid double counting; and
- Ensure transparency.⁹

The Commission also settled on nine components of costs and benefits for compensation of customer-generators, and methodologies for determining seven:

- Avoided energy costs,
- Avoided generation capacity costs,
- Avoided transmission capacity costs,
- Avoided ancillary service costs,
- Avoided distribution capacity costs,
- Avoided carbon cost,
- Avoided environmental compliance cost,
- Jobs benefits, and

⁸ KRS 278.465(4).

⁹ Case No. 2020-00174, *Electronic Application of Kentucky Power Company for (1) a General Adjustment of Its Rates for Electric Service; (2) Approval of Tariffs and Riders; (3) Approval of Accounting Practices to Establish Regulatory Assets and Liabilities; (4) Approval of a Certificate of Public Convenience and Necessity; And (5) All Other Required Approvals and Relief*, Order (May 14, 2021) (hereinafter “KPCo Order”) at 21-23; Case No. 2020-00349, *Electronic Application of Kentucky Utilities Company for an Adjustment of Its Electric Rates, a Certificate of Public Convenience and Necessity to Deploy Advanced Metering Infrastructure, Approval of Certain Regulatory and Accounting Treatments, and Establishment of a One-Year Surcredit*, Order (Sep. 24, 2021); and Case No. 2020-00350, *Electronic Application of Louisville Gas and Electric Company for an Adjustment of Its Electric Rates, a Certificate of Public Convenience and Necessity to Deploy Advanced Metering Infrastructure, Approval of Certain Regulatory and Accounting Treatments, and Establishment of a One-Year Surcredit*, Order (Sep. 24, 2021) (hereinafter “LG&E-KU Sep. Orders”) at 41-42.

- Avoided costs of customer-generators participating in wholesale markets under Federal Energy Regulatory Commission (FERC) Order No. 2222.¹⁰

The Commission found that these principles and “avoided costs” constituted “best practices in developing successor net metering rates,” that “are fair, just, and reasonable.”¹¹ In each prior case, the Commission applied the evidence of the full record to determine the appropriate value for each of those avoided costs, where available, or required that the utility provide further information on each specific cost component in a future case where it felt there was insufficient evidence.

Finally, with regard to the netting methodology, the Commission has ordered that utilities “should continue to net the dollar value of the total energy consumed and the dollar value of the total energy exported by eligible customer generators over the billing period in NMS 2 consistent with the billing period netting period established in NMS 1.”¹²

B. Joint Intervenors respectfully request the Commission provide further detail on the components of the “bill credit” in the Final Order

Joint Intervenors commend and thank the Commission for their consistency in applying these principles and avoided costs over several years. In the current case the Commission noted these above principles at the outset as guideposts for its decision,¹³ and discussed the avoided costs and evidence presented on each.¹⁴

However, the Commission’s Order varies from past precedent in how it presents the costs that it approved as part of the ultimate “Excess Generation Avoided Cost Credit Rate” approved as reasonable in its Order. First, in discussing “Avoided Cost Excess Generation Credits,” the Commission’s order begins with a section on “Avoided

¹⁰ KPCo Order at 25-40; LG&E-KU Sep. Orders at 48-58.

¹¹ KPCo Order at 25; LG&E-KU Sep. Order at 48.

¹² *Kentucky Utilities Company and Louisville Gas and Electric Company v. Public Service Commission of Kentucky, et al.*, Civil Action No. 21-CI-00872, Division II (Complaint filed Nov. 24, 2021), at 25.

¹³ See Oct. 11 Order at 5-6.

¹⁴ See *Id.* at 29.

Capacity Costs,” at page 29, which somewhat confusingly ends instead with a discussion of avoided transmission and distribution costs in the same section at pages 32-33. The Order then continues to a section titled “Avoided Cost Calculations,” followed by sections on “Avoided Energy Costs” and “Avoided Ancillary Services Costs” which generally approve of Duke’s *methods* for calculating those capacity costs, energy costs, and ancillary costs without stating what specific avoided costs were approved or incorporated into the ultimate “Excess Generation Avoided Cost Credit Rate.”¹⁵ The Order also states that “there is no need for any additional values for avoided environmental or carbon costs and in so far as Duke Kentucky excluded those costs, the credit rate calculation is reasonable,”¹⁶ but offers no further explanation. Finally, there is no discussion of Jobs Benefits at all in the Order’s Discussion and Findings.

Joint Intervenors therefore respectfully request that the Commission, on rehearing, give full consideration and explanation of each of the avoided costs required to be considered, including the amount being approved and the basis for each.

C. Joint Intervenors respectfully request the Commission reconsider evidence presented regarding the need for and value of certain avoided costs

In addition to requesting further clarity on the amounts and rationals of certain avoided costs, Joint Intervenors respectfully ask that while reconsidering those levels and their basis, the Commission also reconsider certain evidence of record regarding those costs. As stated in the Order, “[b]y consistently understating costs in its modeling, Duke Kentucky is offering a lesser credit to its NM customers which could, in turn, result in negative financial incentives to those customers.”¹⁷ The Joint Intervenors appreciate

¹⁵ *Id.* at 33-36.

¹⁶ *Id.* at 36.

¹⁷ Oct. 11 Order at 31.

this assessment, but contend that there is sufficient evidence, both of record and publicly available, to rectify these issues immediately to create more fair, just, and reasonable rates for Duke's ratepayers.

1. *Avoided Capacity Cost*

The Commission notes significant shortcomings in Duke's calculation of avoided capacity costs in its Order. The Commission states the cost provided by Duke "appears to be severely understated."¹⁸ Further,

[t]he Commission notes that the National Renewable Energy Laboratory's Annual Technology Baseline (NREL ATB) has a CAPEX cost of a natural gas CT (F-Frame) of \$1,349 per kW, which is *significantly higher* than what Duke Kentucky had proposed in its avoided cost calculations for the cost of a CT,¹⁹

However, later in the same paragraph Order states "the costs of the CT between NREL's ATB and Duke Kentucky's confidential information is *slightly different*, the Commission will accept Duke Kentucky's cost estimates of a CT." Furthermore, with regard to the method for calculating avoided capacity costs the Commission has previously used, namely PJM's Net Cost of New Entry ("Net CONE"),²⁰ the Order notes that Duke asserted substantial differences between Net CONE and its own calculations, but offers no further analysis other than stating that "[t]he Commission notes that Duke Kentucky did not provide sufficient evidence nor justification in support of its CT cost estimates," but nonetheless accepts Duke's cost calculations.²¹ There does not appear to be an explanation for this departure from previous precedent.

¹⁸ *Id.* at 30.

¹⁹ *Id.* (emphasis added) (citation omitted).

²⁰ See KPCo Order at 29.

²¹ Oct. 11 Order at 30.

Furthermore, the Order overlooks that the Joint Intervenor's expert witness refuted Duke's assertion that PJM's Net CONE was not representative. Specifically, as Dr. McCann pointed out

DEK makes specious arguments that it cannot rely on PJM to acquire its capacity resources. DEK is clearly relying on PJM resources for other purposes as expressed in use of the LMP forecast for energy and alluding to the inclusion of the federal Inflation Reduction Act (IRA) incentives invested in other service areas as a means of complying with greenhouse gas (GHG) reduction goals.²²

As pointed out by Dr. McCann, even accepting Duke's position that a CT is a more appropriate resource to estimate avoided costs, these adjustments can be made while still adhering to Commission precedent and using a publicly-available data source.

Dr. McCann did just that, and created a specific alternative estimate:

[u]sing the modified cost of \$97.49 per kilowatt-year and adjusting to the solar fixed mount capacity value factor of 31%, the adjusted capacity value is \$30.27 per kilowatt-year. Dividing over 1,458 kilowatt-hours per kilowatt, the avoided capacity value is \$0.0207 per kilowatt-hour.²³

Joint intervenors therefore respectfully request the Commission reconsider the departure from past precedent requiring setting rates based on publicly-available information, and fully consider the testimony of their witness in determining the appropriate avoided cost for capacity.

2. Avoided Transmission Cost

In setting avoided transmission cost, the Order notes that in contravention of Commission precedent Duke included no avoided transmission costs. The Commission

²² Corrected Prepared Direct Testimony Of Richard Mccann, Ph.D On Behalf Of Joint Intervenor Kentucky Solar Energy Society And Kentuckians For The Commonwealth (Jun. 8, 2024) at 21.

²³ *Id.* at 22.

properly required avoided transmission costs in its calculations. However, the Order states that:

The DSM avoided cost value is derived from information provided by Duke Kentucky's Analytics department for the cost of transmission and distribution upgrades related to load growth in 2020 dollars and escalated based on Moody's Analytics Electric Power Distribution – East South-Central Forecast. However, the Commission finds that the calculation proposed by Duke Kentucky is outdated and unreliable, considering the costs are approximately four years old. Therefore, the Commission will utilize the T&D values listed in Duke Kentucky's rebuttal testimony until its next filing in which the Commission expects Duke Kentucky to file updated and additional evidence in regard to avoided transmission and distribution values.²⁴

However, reviewing the referenced rebuttal testimony, it is unclear what value the Order is referencing. The rebuttal testimony of Duke witness Sailors continues to opine that the Joint Intervenors' witness, and by extension the Commission itself, is incorrect in including any avoided transmission cost,²⁵ but the referenced value of \$0.003330 per kWh doesn't seem to appear anywhere in Mr. Sailors' rebuttal. Further, the Order does not address the contrary evidence provided by Joint Intervenors showing that the avoided transmission costs should in fact be much higher, reasonable arguing for an avoided cost of \$0.0174 per kilowatt-hour.²⁶ Again, as stated in the Order, "[b]y consistently understating costs in its modeling, Duke Kentucky is offering a lesser credit to its NM customers which could, in turn, result in negative financial incentives to those customers."²⁷ The Commission should therefore reconsider the avoided transmission cost set in the October 11 Order.

²⁴ Oct. 11 Order at 32 (citation omitted).

²⁵ Rebuttal Testimony of Bruce L. Sailors on Behalf of Duke Energy Kentucky, Inc. (Apr. 17, 2024) at 12-13.

²⁶ Corrected Prepared Direct Testimony Of Richard Mccann, Ph.D On Behalf Of Joint Intervenors Kentucky Solar Energy Society And Kentuckians For The Commonwealth (Jun. 8, 2024) at 22-25;

²⁷ Oct. 11 Order at 31.

3. *Avoided Distribution Cost*

Similarly, with regard to the avoided Distribution Cost, the Order references the rebuttal testimony of Duke Witness Sailers in setting a level of s \$0.006719 per kWh.²⁸ This value also doesn't appear directly in Sailers' rebuttal testimony, which, with regard to avoided transmission costs, primarily concerns itself with arguing that Commission precedent is incorrect and should be disregarded.²⁹ As shown in Dr. McCann's Direct Testimony on behalf of Joint Intervenors,³⁰ and more importantly in Commission precedent,³¹ avoided distribution costs are an important consideration, and should be set at the level proposed in Duke's initial testimony,³² and as supported by Joint Intervenor's expert.³³ Joint intervenors also therefore respectfully request the Commission reconsider the avoided distribution costs set in the Oct. 11 Order.

4. *Avoided Environmental Costs*

As noted above, the Order states "there is no need for any additional values for avoided environmental or carbon costs and in so far as Duke Kentucky excluded those costs, the credit rate calculation is reasonable,"³⁴ but offers no further explanation. However, as Company witness Kalemba stated at hearing, capital costs of additional required environmental compliance are not necessarily included in avoided capacity or energy costs.³⁵ As the Commission has noted previously, such costs are entirely

²⁸ *Id.* at 33.

²⁹ Rebuttal Testimony of Bruce L. Sailers on Behalf of Duke Energy Kentucky, Inc. (Apr. 17, 2024) at 13-14.

³⁰ Corrected Prepared Direct Testimony Of Richard Mccann, Ph.D On Behalf Of Joint Intervenors Kentucky Solar Energy Society And Kentuckians For The Commonwealth (Jun. 8, 2024) at 26.

³¹ KPCo Order at 33-34; LG&E-KU Sep. Orders at 52-54.

³² Direct Testimony of Bruce L. Sailers on Behalf Of Duke Energy Kentucky, Inc. (Dec. 11, 2023) at 21

³³ Corrected Prepared Direct Testimony Of Richard Mccann, Ph.D On Behalf Of Joint Intervenors Kentucky Solar Energy Society And Kentuckians For The Commonwealth (Jun. 8, 2024) at 26.

³⁴ *Id.* at 36.

³⁵ Hearing Video Transcript ("HVT") at 16:39 to 16:45

appropriate to include, and it has taken administrative notice of environmental compliance proceedings to assist in setting those avoided costs.³⁶ While not referenced in the instant case because it had not yet been filed, it is worth noting that precisely the type of capital environmental compliance costs referenced are at issue in Case No. 2024-00152, in which Duke has requested permission to upgrade pollution control equipment at an existing unit at an estimated capital cost of \$125.8 million.³⁷ This is but one example of the type of environmental costs that the Commission has considered previously, and should be incorporated into the avoided environmental compliance costs here.

5. *Avoided Carbon Costs*

Similarly, the Order also overlooks the possible avoided carbon costs, contributing to the “consistent[] understating [of] costs in its modeling, ...[and] offering a lesser credit to its NM customers which could, in turn, result in negative financial incentives to those customers.”³⁸ Previous Commission precedent in this regard has relied on Company estimates in response to pointed requests from the Commission itself for more information, and set Avoided Carbon Costs at \$0.01338 per kWh and \$0.00578 per kWh, while at the same time ordering more diligent investigation “ to estimate the avoided carbon cost component.”³⁹

In the instant case Joint Intervenors’ witness undertook precisely the investigation precisely ordered of utilities in previous cases, and arrived at an avoided carbon cost of

³⁶ KPCo Order at 37.

³⁷ Case No. 2024-00152, *The Electronic Application of Duke Energy Kentucky, Inc. for a Certificate of Public Convenience and Necessity to Convert its Wet Flue Gas Desulfurization System from a Quicklime Reagent Process to a Limestone Reagent Handling System at its East Bend Generating Station and for Approval to Amend its Environmental Compliance Plan for Recovery by Environmental Surcharge Mechanism*, Application of Duke Energy Kentucky, Inc. (Jul. 25, 2024).

³⁸ Oct. 11 Order at 31.

³⁹ KPCo Order at 36; LG&E-KU Sep. Orders at 56.

\$0.0466 per kWh, tempering even his own independent findings of potentially much higher costs.⁴⁰ The Company acknowledged Dr. McCann’s assessment, as well as past precedent setting avoided carbon costs, in its rebuttal testimony, but in response to question regarding his recommendation states only “[a]s discussed above, there is insufficient evidence to support additional avoided costs at this time, beyond what is already inherently embedded in the Company’s proposal related to the IRA.”⁴¹

This is directly contrary to Commission precedent, and given the only avoided carbon cost offered into the record compliant with Commission precedent is that in Dr. McCann’s testimony, Joint Intervenors encourage the Commission to reconsider the omission of avoided carbon cost in the order.

6. *Jobs Benefits*

Finally, as stated above, there is no discussion of Jobs Benefits at all in the Order’s Discussion and Findings. Given past Commission precedent encouraging further study of the jobs and economic benefits of rooftop solar,⁴² Joint Intervenors’ expert witness provided testimony showing the substantial benefits to the Kentucky economy provided by rooftop solar,⁴³ as well as a full report detailing the extensive economic benefits of rooftop solar.⁴⁴ Given that a specific method for calculating the benefits the Commission has repeatedly acknowledged previously, Joint Intervenors respectfully request the Commission require an analysis of these benefits by Duke, along with the other analyses required in the order, by a date specific.

⁴⁰ Corrected Prepared Direct Testimony Of Richard Mccann, Ph.D On Behalf Of Joint Intervenors Kentucky Solar Energy Society And Kentuckians For The Commonwealth (Jun. 8, 2024) at 26-28.

⁴¹ Rebuttal Testimony of Bruce L. Sailors on Behalf of Duke Energy Kentucky, Inc. (Apr. 17, 2024) at 7.

⁴² KPCo Order at 37-38; LG&E-KU Sep. Orders at 57-58.

⁴³ Corrected Prepared Direct Testimony Of Richard Mccann, Ph.D On Behalf Of Joint Intervenors Kentucky Solar Energy Society And Kentuckians For The Commonwealth (Jun. 8, 2024) at 28-35.

⁴⁴ *Id.*, Exhibit 1 The Economic Benefits of Rooftop and Utility Solar in Kentucky.

D. Joint Intervenors respectfully request the Commission reconsider its departure from past precedent requiring netting

Finally, Joint Intervenors respectfully request that the Commission reconsider its departure from precedent requiring utilities “net the total energy consumed and the total energy exported by eligible customer-generators over the billing period in NMS 2 consistent with the billing period netting period,” as required by the plain language of KRS 278.465(4).⁴⁵ The Commission’s orders in both previous cases considering the issues rightfully found that while changes enacted in KRS 278.465 allowed for a change in how excess energy produced by net metering customers was required to be compensated by utilities, the fundamental definition of “[n]et metering” still requires netting of all energy produced and consumed by a net metering customer *over a billing period*.⁴⁶ To allow otherwise, as Duke proposes, is fundamentally not netting in any real sense of the word, but instead two-channel billing, allowing the Company to charge one rate to its ratepayers and reimburse them a separate lower rate for every bit of energy they receive from those same ratepayers.

This understanding is reinforced by the fact that not only did Louisville Gas & Electric and Kentucky Utilities petition for rehearing when the Commission ordered netting of energy exported and consumed over a billing period,⁴⁷ but upon being rebuffed on petition for rehearing LGE/KU appealed the Commission’s decision. The

⁴⁵ LG&E-KU Sep. Orders at 48.

⁴⁶ KRS 278.465(4)(a).

⁴⁷ Case No. 2020-00349, *Electronic Application of Kentucky Utilities Company for an Adjustment of Its Electric Rates, a Certificate of Public Convenience and Necessity to Deploy Advanced Metering Infrastructure, Approval of Certain Regulatory and Accounting Treatments, and Establishment of a One-Year Surcredit*; and Case No. 2020-00350, *Electronic Application of Louisville Gas and Electric Company for an Adjustment of Its Electric Rates, a Certificate of Public Convenience and Necessity to Deploy Advanced Metering Infrastructure, Approval of Certain Regulatory and Accounting Treatments, and Establishment of a One-Year Surcredit*, Joint Petition of Kentucky Utilities Company and Louisville Gas And Electric Company For Reconsideration Of The September 24, 2021 Order (Oct. 15, 2021).

Commission rightly noted in its Order on rehearing that it should properly have stated that “[c]onsistent with our finding in [the KPCo Order] and KRS 278.465(4), the Commission finds that LG&E/KU should continue to net the dollar value of the total energy consumed and the dollar value of the total energy exported by eligible customer generators over the billing period in NMS 2 consistent with the billing period netting period established in NMS 1.”⁴⁸ The Order on rehearing thus still required netting *over the billing period* as required by the statute, but acknowledged the change in the statute allowing excess generation of rooftop solar over a billing period may be compensated differently. As the Commission only speaks through its order,

Fully understanding that its proposed instantaneous credit proposal had been rejected by the Commission, those Companies filed Complaint in the Franklin Circuit Court seeking judicial review of the Commission’s original order and order on rehearing. That Complaint notes that the Commission rejected the Companies’ proposed dollar-value netting approach.⁴⁹

In addition, the fact of the inconsistency of Duke’s proposed approach is highlighted in the Commission’s precedent that “because the energy charge is based upon electricity consumed, the energy charge *and any riders that are based on a per kWh charge* should be netted against energy exported pursuant to KRS 278.465(4).”⁵⁰

⁴⁸ Case No. 2020-00349, *Electronic Application of Kentucky Utilities Company for an Adjustment of Its Electric Rates, a Certificate of Public Convenience and Necessity to Deploy Advanced Metering Infrastructure, Approval of Certain Regulatory and Accounting Treatments, and Establishment of a One-Year Surcredit*; and Case No. 2020-00350, *Electronic Application of Louisville Gas and Electric Company for an Adjustment of Its Electric Rates, a Certificate of Public Convenience and Necessity to Deploy Advanced Metering Infrastructure, Approval of Certain Regulatory and Accounting Treatments, and Establishment of a One-Year Surcredit*, Order (Nov. 04, 2021) at 11-12.

⁴⁹ *Kentucky Utilities Company and Louisville Gas and Electric Company v. Public Service Commission of Kentucky, et al.*, Civil Action No. 21-CI-00872, Division II (Complaint filed Nov. 24, 2021), at page 13, Numerical Paragraph 47.

⁵⁰ LG&E-KU Sep. Orders at 48 (emphasis added).

This portion of the Commission's previous order remains necessarily unchanged by the Order on rehearing, as to change it would directly highlight how a contrary approach is not netting at all.

An example based on the record is illustrative. Using Duke's response to Attorney General's Request for Information 01-001, if a net metering ratepayer were to produce more power than they consumed in a given month (i.e., if "Solar Energy Consumed On-site" were set lower than "Solar Facility Production"), that same ratepayer would still be charged a \$/kWh charge for every single kWh consumed from the grid for Riders PSM, DSM, and FAC, despite having sent more power to the grid in a given month than they consumed. A specific scenario is shown below:

A	B	C	D	E	F	G	H	I	J	K
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Example Bill Calculation for NM I and NM II Comparison			
Consumption Assumptions:			
Gross Power Consumption:	2,000		
Solar Facility Production:	2,500		
Solar Energy Consumed On-site:	1,500	Must be <= the lesser of Gross Power Consumption and Solar Facility Production to be valid.	
Net Energy Consumed from Grid:	500		
Excess Generation Sent to Grid:	1,000		
Net Metering I - Net Billed kWh	-		
Rate RS - January 2024 Charges		Net Metering I Bill	Net Metering II Bill
Customer Charge & Minimum Bill (\$)	\$ 13.000000	\$ 13.00	\$ 13.00
Energy Charge (\$/kWh)	\$ 0.099654	\$ -	\$ 49.83
Rider PSM (\$/kWh)	\$ (0.003700)	\$ -	\$ 1.85
HEA Charge (\$)	\$ 0.300000	\$ 0.30	\$ 0.30
Rider DSM (\$/kWh)	\$ 0.001352	\$ -	\$ 0.68
Rider FAC (\$/kWh)	\$ 0.014570	\$ -	\$ 7.29
Rider ESM (%)	10.55%	\$ 1.40	\$ 7.70
Net Metering II ACNEGC	\$ 0.057132		\$ 57.00
Net Metering I Bill:		\$ 14.70	
Net Metering I - kWh Bank Addition		500	
Net Metering II Bill:		\$ 23.65	
Credit Used:		\$ 57.00	
Credit Bank Addition:		\$ -	

Netting, as required by statute reinforced by Commission precedent, would require the same charges as in column G, above, but a “Bank Addition” in the form of a dollar-denominated credit rather than a kWh Bank Addition, as under Net Metering I. That is the change contemplated by statute, and realized by past Commission precedent.

III. Conclusion

For the above purposes, the Joint Intervenors respectfully request that the Commission grant their motion for rehearing, and more clearly define the avoided costs that compose the “bill credit,” consider record evidence and make changes to

components of those avoided costs, and reconsider its deviation from past precedent with respect to the methodology for calculating the amount of energy Net Metering 2 customers will receive.

Respectfully Submitted,



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CERTIFICATE OF SERVICE

In accordance with the Commission's July 22, 2021 Order in Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19*, this is to certify that the electronic filing was submitted to the Commission on October 31, 2024; that the documents in this electronic filing are a true representations of the materials prepared for the filing; and that the Commission has not excused any party from electronic filing procedures for this case at this time.



Byron L. Gary