

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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

**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
info@kyseia.org

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 members below, but also as a solar association that represents solar companies that must

disseminate information and calculate costs and rates of return based upon Duke Energy Kentucky, Inc.'s ("Duke") net metering tariff and the interconnection of systems. KYSEIA is organized under the laws of the Commonwealth of Kentucky and is in good standing with the Kentucky Secretary of State.

- b. Joseph Oka is a member of KYSEIA and takes service under Duke's net metering tariff. Mr. Oka intends to continue receiving electric service under the net metering tariff and will, therefore, be subject to the proposed revisions to Duke's tariffs including those that pertain to legacy rights.
 - c. Zach Wieber is a member of KYSEIA and takes service under Duke's net metering tariff. Mr. Wieber intends to apply for net metering service at a new service location and will, therefore, be subject to the proposed revisions to Duke's tariffs including, among other things, the proposed interconnection and application provisions.
4. Duke's net metering customers currently receive service through a tariff unique to net metering customers; accordingly, their interests are not similar to other customers who receive service under other Duke tariffs.
 5. Applicants and prospective applicants for Duke's net metering service apply for service through tariff provisions unique to net metering customers; accordingly, their interests are not similar to other customers who apply for service through other Duke tariffs.
 6. Through the pending application, Duke proposes to revise its current Net Metering Rider tariff (renaming it "Net Metering I Rider"); create a new tariff, "Rider Net

Metering II,” and create a new tariff, “Interconnection,” which will serve as a separate location for interconnection guidelines.

7. Additionally, the interests of net metering service customers and applicants for net metering service customers are not similar to other customers who apply for and receive service under other Duke tariffs.

8. Duke also proposes to revise interconnection provisions through the application. KYSEIA has a special and distinct interest in these interconnection procedures and fees, as it not only represents customer generators and potential customer generators who are subject to those procedures and fees, it also represents the solar companies that will ultimately be assisting these customers and potential customers in complying with those interconnection procedures and applications. 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.

¹ Order, Case No. 2019-00256, *Electronic Consideration of the Implementation of the Net Metering Act* (Dec. 18, 2019) 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 Order, Case No. 2020-00302, *Investigation of Interconnection and Net Metering Guidelines* (November 6, 2020) at 1.

9. The interests of Duke’s net metering customers, applicants for net metering service under Net Metering Rider (proposed “Net Metering I Rider”), applicants under the proposed Rider Net Metering II are separate and distinct from the interests of other customers of Duke. The special interests of Duke net metering customers will not otherwise be adequately represented by any other party to this proceeding.
10. KYSEIA’s motion to intervene is filed prior to the issuance of a procedural schedule. KYSEIA’s motion is timely.

WHEREFORE, KYSEIA respectfully requests the Commission to grant KYSEIA intervention into the instant case with full rights of a party to the proceeding.

Respectfully submitted,

/s/ David E. Spenard

Randal A. Strobo
David E. Spenard
STROBO BARKLEY PLLC
730 West Main Street, Suite 202
Louisville, Kentucky 40202
Phone: 502-290-9751
Facsimile: 502-378-5395
Email: rstrobo@strobobarkley.com
Email: dspenard@strobobarkley.com

Counsel for KYSEIA

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 3rd day of January 2024, 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