

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

IN THE MATTER OF:	:	
ELECTRONIC INVESTIGATION OF LOUISVILLE GAS AND ELECTRIC COMPANY AND KENTUCKY UTILITIES COMPANY SERVICE RELATED TO WINTER STORM ELLIOTT	: : : : : :	CASE NO. 2023-00422

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**MOTION TO INTERVENE OF  
KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC.**

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Pursuant to 807 KAR 5:001, Section 4(11), KRS 278.310, and KRS 278.040(2), Kentucky Industrial Utility Customers, Inc. (“KIUC”) requests that it be granted full intervenor status in the above-captioned proceeding(s) and states in support thereof as follows:

1. 807 KAR 5:001, Section 4(11)(a)(1) requires that a person requesting leave to intervene as a party to a case before the Kentucky Public Service Commission (“Commission”), by timely motion, must state his or her interest in the case and how intervention 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.
2. 807 KAR 5:001, Section 4(11)(b) provides that the Commission shall grant a person leave to intervene if the Commission finds that he or she has made a timely motion for intervention and that he or she has a special interest in the case that is not otherwise adequately represented or that his or her intervention is likely to present issues or to develop facts that assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings.
3. KIUC is an association of the largest electric and gas public utility customers in Kentucky. The purpose of KIUC is to represent the industrial viewpoint on energy and utility issues before

this Commission and before all other appropriate governmental bodies. The attorneys for KIUC authorized to represent them in this proceeding and to take service of all documents are:

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4. KIUC filed a timely motion to intervene in this proceeding.
5. KIUC has a special interest in this case. Several member(s) of KIUC are served by Kentucky Utilities Company (“KU”) and Louisville Gas & Electric Co. (“LG&E”) (collectively, the “Companies”), including Air Liquide Industrial U.S. LP, Alliance Coal, LLC, Carbide Industries LLC, Corning Incorporated, Dow Silicones Corporation, Ford Motor Company, Ingevity, North American Stainless, The Chemours Company FC, LLC and Toyota Motor Manufacturing, Kentucky, Inc.<sup>1</sup>
6. KIUC’s special interest cannot be adequately represented by any existing party. While the Kentucky Attorney General’s Office of Rate Intervention is statutorily charged with representing the interests of “consumers” pursuant to KRS 367.150(8), that duty relates primarily to residential customers. In contrast, KIUC’s interest is exclusively related to large energy intensive industrial customers, who take service on different rate schedules than residential customers. KIUC and its members are in a unique position to evaluate the issues surrounding the rolling blackouts caused by Winter Storm Elliott. Reliability is especially important to modern manufacturing processes that heavily rely on computer automation. KIUC was and is an active participant in the two related proceedings cited in the Commission’s Order initiating this case. Case No. 2022-00402 (CPCN for new natural gas combined cycle generation and SB 4 coal plant

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<sup>1</sup> KIUC will supplement the names of additional KIUC member intervenors, if necessary.

retirements) and Case No. 2021-00370 (Kentucky Power adequate service show cause investigation).

7. KIUC's intervention is likely to present issues or develop facts that will assist the Commission in fully considering the matters at hand. KIUC has participated in ratemaking matters before this Commission since 1978 and was formally incorporated in 1983. Over the past 30 years alone, KIUC has intervened in approximately one hundred cases addressing electric rate and service issues. In these proceedings, KIUC currently expects to, at minimum, conduct discovery, potentially file expert testimony, and actively participate at the evidentiary hearing. Hence, KIUC will be a helpful and active participant should its request to intervene be granted.

8. KIUC intends to play a constructive role in the Commission's decision-making process.

9. KIUC's intervention will not unduly complicate or disrupt the proceedings.

**WHEREFORE**, KIUC requests that it be granted full intervenor status in the above-captioned proceeding.

Respectfully submitted,

/s/ Michael L Kurtz

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**COUNSEL FOR KENTUCKY INDUSTRIAL  
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