

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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

MARCH 8, 2024 SECOND SUPPLEMENTAL RESPONSE OF
KENTUCKY UTILITIES COMPANY
AND
LOUISVILLE GAS AND ELECTRIC COMPANY
TO
THE COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION

DATED JANUARY 26, 2024

FILED: March 8, 2024

**KENTUCKY UTILITIES COMPANY
AND
LOUISVILLE GAS AND ELECTRIC COMPANY**

**March 8, 2024 Supplemental Response to Commission Staff's
First Request for Information
Dated January 26, 2024**

Case No. 2023-00422

Question No. 86

Responding Witness: Counsel / Lonnie E. Bellar

Q-86. Provide all correspondence (email, internal memos, meeting notes, etc.) related to LG&E/KU's assessment of their preparation, impact, and response to Winter Storm Elliott.

A-86. **Original Response:**

Subject to and without waiver of objections on the grounds of privilege and/or work product doctrine, the Companies state that this request requires review of voluminous electronically stored information (ESI) consisting of thousands of documents and communications, that such documents are being reviewed electronically for responsiveness and privilege; and that responsive, non-privileged documents will be produced on a rolling basis.

The Companies, through counsel, object to this request to the extent it calls for production of documents or communications that are protected by the attorney-client privilege and/or the work product doctrine. Specifically, documents otherwise responsive to this request include communications with counsel for the purpose of seeking and receiving legal advice and may reveal the mental impressions of counsel or others acting at counsel's direction, or were created in anticipation of litigation or regulatory proceedings.

The Companies will supplement this response with a status report on the production by Friday, February 23, 2024. At the time of final production, the Companies will also produce a privilege log identifying all documents withheld on the basis of privilege or work product protection. No production of documents responsive to this request is intended as a waiver of attorney-client or work product privilege.

February 23, 2024 Supplemental Response:

Subject to and without waiver of objections on the grounds of privilege and/or work product doctrine, the Companies state that this request requires review of voluminous electronically stored information (ESI) consisting of thousands of documents and communications, that such documents are being reviewed and redacted electronically for responsiveness, privilege, and confidentiality; and that responsive, non-privileged documents will be produced on a rolling basis.

The Companies, through counsel, object to this request to the extent it calls for production of documents or communications that are protected by the attorney-client privilege and/or the work product doctrine. Specifically, documents otherwise responsive to this request include communications with counsel for the purpose of seeking and receiving legal advice and may reveal the mental impressions of counsel or others acting at counsel's direction, or were created in anticipation of litigation or regulatory proceedings.

The Companies have attached responsive, non-privileged documents to this Supplemental Response. The Companies have labeled the attached documents with control numbers from LGE-KU001_000001 to LGE-KU001_0000419.

Review for additional responsive, non-privileged documents continues and additional documents are expected to be produced on or before March 8, 2024, with an updated status. At the time of final production, the Companies will produce a privilege log identifying all documents withheld on the basis of privilege or work product protection. No production of documents responsive to this request is intended as a waiver of attorney-client or work product privilege.

March 8, 2024 Supplemental Response:

Subject to and without waiver of objections on the grounds of privilege and/or work product doctrine, the Companies state that this request required review of voluminous electronically stored information (ESI) consisting of thousands of documents and communications, that such documents have been reviewed and redacted electronically for responsiveness, privilege, and confidentiality; and that the remaining responsive, non-privileged documents from that review are produced herewith.

The Companies, through counsel, object to this request to the extent it calls for production of documents or communications that are protected by the attorney-client privilege and/or the work product doctrine. Specifically, documents otherwise responsive to this request include communications with counsel for the purpose of seeking and receiving legal advice and may reveal the mental

impressions of counsel or others acting at counsel's direction, or were created in anticipation of litigation or regulatory proceedings.

The Companies have attached responsive, non-privileged documents to this Second Supplemental Response. The Companies have labeled the attached documents with control numbers from LGE-KU002_0000420 to LGE-KU002_0000989. No production of documents responsive to this request is intended as a waiver of attorney-client or work product privilege.

Certain documents produced in response hereto contain confidential and proprietary information and are being provided under seal pursuant to a petition for confidential protection.¹

Also produced herewith is a privilege log identifying all documents, numbered LGE-KU_PRIV_0001 – LGE-KU_PRIV_0647 and LGE-KU001_0000286-287 withheld on the basis of attorney client privilege and/or work product protection.

¹ Yellow highlighting on publicly-filed documents LGE-KU002_0000567, LGE-KU002_0000572, LGE-KU002_0000574, LGE-KU002_0000576, LGE-KU002_0000581, LGE-KU002_0000585, LGE-KU002_0000587, LGE-KU002_0000589, and LGE-KU002_0000591 is in the original documents and is not intended as a designation of confidential information on these specific documents.