

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

ELECTRONIC APPLICATION FOR A DECLARATORY)	CASE NO.
ORDER OF JACKSON PURCHASE ENERGY CORPORATION)	2024-00122

VERIFIED APPLICATION

Comes now Jackson Purchase Energy Corporation (“Jackson Purchase”), by and through the undersigned counsel, pursuant to 807 KAR 5:054, 807 KAR 5:001 Section 19 and other applicable law, and does hereby submit its Application for the Commission to declare that a leased solar facility (not owned and operated by the member) does not qualify for interconnection through Jackson Purchase’s net metering tariff or Jackson Purchase’s SPC-A Small Power Production or Cogeneration Less than 100 kW tariff. Jackson Purchase respectfully requests the Commission issue its **decision by May 30, 2024** due to the high level of applications of this nature that Jackson Purchase is receiving. As grounds for this Application, Jackson Purchase respectfully states as follows:

Introduction and Filing Requirements

1. Jackson Purchase is a not-for-profit, member-owned, rural electric distribution cooperative organized under KRS Chapter 279. Jackson Purchase is engaged in the business of distributing retail electric power to approximately 23,000 members in the Kentucky counties of Ballard, Carlisle, Graves, Livingston, Marshall and McCracken. It owns approximately 3,000 circuit miles of distribution line in its service territory and purchases its power requirements from Big Rivers Electric Corporation pursuant to a Wholesale Power Contract dated October 14, 1977,

and subsequent amendments. Jackson Purchase is a “utility” as that term is defined in KRS 278.010(3)(a), and subject to the rates and service jurisdiction of the Commission.

2. Pursuant to 807 KAR 5:001 Section 14(1), Jackson Purchase’s business and mailing address is 6525 U.S. Highway 60 W, Paducah, Kentucky 42001. Jackson Purchase’s email address is greg.grissom@jpenergy.com and its web address is <https://www.jpenergy.com/>. Jackson Purchase requests that the following individuals be included on the service list:

Greg Grissom, Jackson Purchase’s President & Chief Executive Officer:

greg.grissom@jpenergy.com

Travis Spiceland, Jackson Purchase’s Vice President of Engineering:

travis.spiceland@jpenergy.com

Counsel for Jackson Purchase:

L. Allyson Honaker – allyson@hloky.com; Brittany Hayes Koenig – brittany@hloky.com;

Heather S. Temple – heather@hloky.com

3. Pursuant to 807 KAR 5:001, Section 14(2), Jackson Purchase is a Kentucky corporation, in good standing, and was incorporated on June 12, 1937.

Request for Declaratory Relief

4. Jackson Purchase has reviewed the net metering regulations and its tariff and believes that it clearly states that the facility has to be owned and operated by the member. Jackson Purchase would request a declaratory order agreeing with Jackson Purchase that the net meter rules and regulations require the member to be the owner and operator of the facility that is applying for net metering. Jackson Purchase also believe that this question may already be before the Commission in a request for a declaratory order filed by Kenergy Corp.¹

¹ Case No. 2023-000309, *Electronic Petition of Kenergy Corp. for Declaratory Order*, (filed Sept. 13, 2023).

5. In addition to the declaratory order for net metering, Jackson Purchase is requesting a declaratory order from the Commission that a small power production or cogeneration facility must also be owned and operated by the member. Jackson Purchase's tariff on file with the Commission indicates in several places that the facility must be owned and operated by the member. This is also contained in Jackson Purchase's Sample Agreement for Purchase of Electric Energy. In addition to Jackson Purchase's tariff and sample agreement, Jackson Purchase has reviewed 807 KAR 5:054 and specifically Section 6(6), where it discusses that an owner operator must pay if there are additional expenses.

6. Jackson Purchase believes that it is following its tariffs, the statutes and regulations when requiring the member to be the owner and operator of a facility requesting service through its net metering and its small power production tariff.

7. Jackson Purchase seeks this declaratory order from the Commission in order to determine whether Jackson Purchase's interpretation is correct.


Conclusion

8. Jackson Purchase believes that ownership is required to apply for service under Jackson Purchase's net metering tariff as well as its small power production and cogeneration tariff and requests a declaratory order from the Commission confirming same.

VERIFICATION

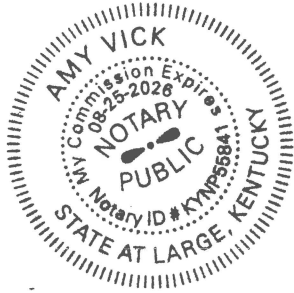
COMMONWEALTH OF KENTUCKY)
)
 COUNTY OF McCracken)

Comes now Travis Spiceland, P.E., Vice-President Engineering, Jackson Purchase Energy Corporation and, after being duly sworn, does hereby verify, swear and affirm that the averments set forth in this Application are true and correct based upon my personal knowledge and belief, formed after reasonable inquiry, as of this 24th day of April, 2024.



 Travis Spiceland P.E.
 Vice-President Engineering
 Jackson Purchase Energy Corporation

The foregoing Verification was verified, sworn to and affirmed before me, a NOTARY PUBLIC, by Travis Spiceland, P.E., Vice-President Engineering, Jackson Purchase Energy Corporation on this 24th day of April, 2024.





 NOTARY PUBLIC
 My Commission Expires: 8/25/2026

Dated this 25th day of April, 2024.

Respectfully submitted,

Heather S. Temple

L. Allyson Honaker
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Heather S. Temple
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Counsel for Jackson Purchase Energy Corporation

CERTIFICATE OF SERVICE

This is to certify that foregoing electronic filing was transmitted to the Commission on April 25, 2024; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; and that pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085, no paper copies of the filing will be made.

Heather S. Temple

Counsel for Jackson Purchase Energy Corporation