

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

In the matter of: :

ELECTRONIC TARIFF FILING OF LOUISVILLE : CASE NO.
GAS AND ELECTRIC COMPANY TO REVISE ITS : 2024-00125
LOCAL GAS DELIVERY SERVICE TARIFF :

**LOUISVILLE/JEFFERSON COUNTY METROPOLITAN SEWER
DISTRICT'S FIRST REQUEST OF INFORMATION TO
LOUISVILLE GAS AND ELECTRIC COMPANY**

Comes the Louisville/Jefferson County Metropolitan Sewer District (“MSD”), 700 West Liberty Street, Louisville, Kentucky 40203, by counsel and pending intervener in this action, and respectfully requests the applicant, Louisville Gas and Electric Company (the “Company”), to respond to the First Request of Information in accordance with the Order of Procedure entered herein.

Additional Instructions

A. Each request for information shall be accorded a separate answer on a separate piece of paper, and each subpart thereof shall be accorded a separate answer. Each request or subpart thereof shall be specifically admitted or denied, and information inquiries or subparts thereof should not be combined for the purpose of supplying a common answer.

B. Restate the information inquiry immediately preceding each response.

C. Identify the name, title, and business address of each person(s) providing each response and provide the data on which the response was created.

D. In answering these requests, utilize all information and documents that are available to you, including information in the possession of any of your agents, employees or attorneys, or otherwise subject to your custody or control.

E. If you object to any part of a request, answer all parts of such interrogatories or requests to which you do not object, and as to each part to which you do object, separately set forth the specific basis for the objection.

F. If you claim any form of privilege or other protection from disclosure as a ground for withholding information responsive to a request, please explain your claim with sufficient specificity to permit MSD to make a full determination as to whether your claim is valid.

G. In each instance, the request shall be construed so as to require the most inclusive answer or production.

H. Please attach written material to any answer for which written material is requested and/or available. If such written material is not available, state where it may be obtained. Please label the written material with the number of the request to which it pertains.

Definitions

As used in these Requests for Information, the following terms have the meaning as set forth below:

1. "You" or "your" means the Company or the witness, as the context requires.
2. "List", "describe", "explain", "specify" or "state" shall mean to set forth fully, in detail, and unambiguously each and every fact of which the Company or its officers, employees, agents or representatives, have knowledge which is relevant to the answer called for by the request.
3. The terms "document" or "documents" as used herein shall have the same meaning and scope as in Rule 34 of the Kentucky Rules of Civil Procedure and shall include, without limitation, any writings and documentary material of any kind whatsoever, both originals and copies (regardless of origin and whether or not including additional writing thereon or

attached thereto), and any and all drafts, preliminary versions, alterations, modifications, revisions, changes and written comments of and concerning such material, including but not limited to: correspondence, letters, memoranda, notes, reports, directions, studies, investigations, questionnaires and surveys, inspections, permits, citizen complaints, papers, files, books, manuals, instructions, records, pamphlets, forms, contracts, contract amendments or supplements, contract offers, tenders, acceptances, counteroffers or negotiating agreements, notices, confirmations, telegrams, communications sent or received, print-outs, diary entries, calendars, tables, compilations, tabulations, charts, graphs, maps, recommendations, ledgers, accounts, worksheets, photographs, tape recordings, movie pictures, videotapes, transcripts, logs, work papers, minutes, summaries, notations and records of any sort (printed, recorded or otherwise) of any oral communication whether sent or received or neither, and other written records or recordings, in whatever form, stored or contained in or on whatever medium including computerized or digital memory or magnetic media that:

- (a) are now or were formerly in your possession, custody or control; or
- (b) are known or believed to be responsive to these requests, regardless of who has or formerly had custody, possession or control.

4. The terms "identify" and "identity" when used with respect to an entity mean to state its full name and the address of its principal place of business.

5. The term to "state the basis" for an allegation, contention, conclusion, position or answer means (a) to identify and specify the sources therefore, and (b) to identify and specify all facts on which you rely or intend to rely in support of the allegation, contention, conclusion, position or answer, and (c) to set forth and explain the nature and application to the relevant facts of all pertinent legal theories upon which you rely for your knowledge, information and/or belief

that there are good grounds to support such allegation, contention, conclusion, position or answer.

6. The terms "and" and "or" have both conjunctive and disjunctive meanings as necessary to bring within the scope of the request any information or documents that might otherwise be construed to be outside their scope; "all" and "any" mean both "each" and "every".

7. The terms "relates to" or "relating to" mean referring to, concerning, responding to, containing, regarding, discussing, describing, reflecting, analyzing, constituting, disclosing, embodying, defining, stating, explaining, summarizing, or in any way pertaining to.

8. The term "including" means "including, but not limited to."

FIRST REQUEST FOR INFORMATION OF MSD

Q. 1-1 Has LG&E considered alternatives and/or exceptions that would facilitate the beneficial utilization of this renewable resource (RNG) such as allowing renewable natural gas with a BTU concentration lightly lower than 1,035-1070 BTU/SCF?

Q. 1-2 How does LG&E see RNG's role in their overall decarbonization goal of achieving net-zero emissions by 2050?

Q. 1-3 Is LG&E aware of other gas utilities which have required RNG producers to meet the proposed 1,035-1,070 BTU/SCF standard?

Q. 1-4 Did LG&E consider technical limitations of RNG production technologies when deciding to increase the BTU requirement to 1,035-1,070 BTU/SCF?

Q. 1-5 How does 1,035-1,070 BTU/SCF compare with RNG standards of other gas utilities?

Q. 1-6 Was LG&E aware that the American Biogas Council recommends an RNG specification of 960-1,100 BTU/SCF and that this has been successfully adopted by numerous gas utilities, including local and interstate utilities?

Q. 1-7 Can LG&E provide one year of monthly data for monthly heating values of gas from all LG&E's suppliers?

Q. 1-8 Has LG&E performed analysis that indicates a BTU requirement of 967-1,110 BTU/SCF would be detrimental to customers or LG&E's infrastructure? If so, what impacts did LG&E estimate?

Q. 1-9 When purchasing gas from interstate pipeline suppliers, does LG&E pay a uniform price per unit volume (i.e. \$/SCF), or is the heating value of the gas considered such that LG&E pays a uniform price per unit of energy (i.e. \$/BTU)?

Q. 1-10 As it pertains to the consultant hired by the Company involving RNG, please: (i) identify the independent consultant hired by the Company and provide his or her CV; (ii) provide any studies relied upon by the independent consultant related to this request to amend the LGDS tariff; (iii) provide any reports issued by the consultant; and (iv) provide any workpapers and documents, in excel format where available, provided by the independent consultant.

Q. 1-11 On April 25, 2024, the EPA announced, as part of a suite of four rules for fossil fuel-fired power plants, its final greenhouse gas (GHG) standards for power plants—imposing stringent new requirements on existing coal-fired power plants and new natural gas-fired power plants to curtail emissions of carbon dioxide (CO₂). Notably, the GHG final rule lowered the capacity factor threshold for new natural gas turbines (i.e. Mill Creek 5) to be considered base load units from 50% to 40%. Assuming the GHG rules continue to limit the capacity factor of new natural gas-fired power turbines please articulate why the Company seeks to eliminate RNG as an option to meet demand by increasing the heat factor for the LGDS tariff beyond RNG standards?

Q. 1-12 The Company promotes a green tariff allowing large business customers to purchase energy from a renewable energy generator. While MSD realizes that contracts involving the green tariff are made on a case-by-case scenario subject to approval from the Commission, how does the Company reconcile the proposed elimination of RNG as an option on its system while promoting its green tariff?

Respectfully submitted,

/s/Matt Malone

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LOUISVILLE/JEFFERSON COUNTY

METROPOLITAN SEWER DISTRICT

CERTIFICATE OF SERVICE

I hereby certify that MSD's May 16, 2024 electronic filing is a true and accurate copy of MSD's pleading and Read 1st Document to be filed in paper medium; that the electronic filing has been transmitted to the Commission on May 16, 2024; that an original and one copy of the filing will not be mailed to the Commission given the pandemic orders; that there are currently no parties excused from participation by electronic service; and that, on May 16, 2024, electronic mail notification of the electronic filing is provided to all parties of record.

/s/Matt Malone

ATTORNEY FOR LOUISVILLE/JEFFERSON COUNTY

METROPOLITAN SEWER DISTRICT