

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF DUKE ENERGY KENTUCKY, )  
INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND )  
NECESSITY TO CONVERT ITS WET FLUE GAS DESULFUR- ) CASE No.  
IZATION SYSTEM FROM A QUICKLIME REAGENT PROCESS ) 2024-00152  
TO A LIMESTONE REAGENT HANDLING SYSTEM AT ITS EAST )  
BEND GENERATING STATION AND FOR APPROVAL TO AMEND )  
ITS ENVIRONMENTAL COMPLIANCE PLAN FOR RECOVERY BY )  
ENVIRONMENTAL SURCHARGE MECHANISM )

**ATTORNEY GENERAL’S INITIAL DATA REQUESTS**

The intervenor, the Attorney General of the Commonwealth of Kentucky, through his Office of Rate Intervention [“OAG”], hereby submits the following Initial Data Requests to Duke Energy Kentucky, Inx. [“DEK”], to be answered by the date specified in the Commission’s Orders of Procedure, and in accord with the following:

- (1) In each case where a request seeks data provided in response to a staff request, reference to the appropriate request item will be deemed a satisfactory response.
- (2) Identify the witness who will be prepared to answer questions concerning each request.
- (3) Repeat the question to which each response is intended to refer. The OAG can provide counsel for DEK with an electronic version of these questions in native format, upon request.
- (4) These requests shall be deemed continuing so as to require further and supplemental responses if the Companies receive or generate additional information within the scope of these requests between the time of the response and the time of any hearing conducted hereon.
- (5) Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association, be accompanied by a signed certification

of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

(6) If you believe any request appears confusing, request clarification directly from Counsel for OAG.

(7) To the extent that the specific document, workpaper or information as requested does not exist, but a similar document, workpaper or information does exist, provide the similar document, workpaper, or information.

(8) To the extent that any request may be answered by way of a computer printout, identify each variable contained in the printout which would not be self-evident to a person not familiar with the printout.

(9) If the Companies have objections to any request on the grounds that the requested information is proprietary in nature, or for any other reason, notify OAG as soon as possible.

(10) As used herein, the words "document" or "documents" are to be construed broadly and shall mean the original of the same (and all non-identical copies or drafts thereof) and if the original is not available, the best copy available. These terms shall include all information recorded in any written, graphic or other tangible form and shall include, without limiting the generality of the foregoing, all reports; memoranda; books or notebooks; written or recorded statements, interviews, affidavits and depositions; all letters or correspondence; telegrams, cables and telex messages; contracts, leases, insurance policies or other agreements; warnings and caution/hazard notices or labels; mechanical and electronic recordings and all information so stored, or transcripts of such recordings; calendars, appointment books, schedules, agendas and diary entries; notes or memoranda of conversations (telephonic or

otherwise), meetings or conferences; legal pleadings and transcripts of legal proceedings; maps, models, charts, diagrams, graphs and other demonstrative materials; financial statements, annual reports, balance sheets and other accounting records; quotations or offers; bulletins, newsletters, pamphlets, brochures and all other similar publications; summaries or compilations of data; deeds, titles, or other instruments of ownership; blueprints and specifications; manuals, guidelines, regulations, procedures, policies and instructional materials of any type; photographs or pictures, film, microfilm and microfiche; videotapes; articles; announcements and notices of any type; surveys, studies, evaluations, tests and all research and development (R&D) materials; newspaper clippings and press releases; time cards, employee schedules or rosters, and other payroll records; cancelled checks, invoices, bills and receipts; and writings of any kind and all other tangible things upon which any handwriting, typing, printing, drawings, representations, graphic matter, magnetic or electrical impulses, or other forms of communication are recorded or produced, including audio and video recordings, computer stored information (whether or not in printout form), computer-readable media or other electronically maintained or transmitted information regardless of the media or format in which they are stored, and all other rough drafts, revised drafts (including all handwritten notes or other marks on the same) and copies of documents as hereinbefore defined by whatever means made.

(11) For any document withheld on the basis of privilege, state the following: date; author; addressee; indicated or blind copies; all persons to whom distributed, shown, or explained; and, the nature and legal basis for the privilege asserted.

(12) In the event any document called for has been destroyed or transferred beyond the control of the Companies, state: the identity of the person by whom it was destroyed or

transferred, and the person authorizing the destruction or transfer; the time, place, and method of destruction or transfer; and, the reason(s) for its destruction or transfer. If destroyed or disposed of by operation of a retention policy, state the retention policy.

(13) Provide written responses, together with any and all exhibits pertaining thereto, in one or more bound electronic volumes, separately indexed and tabbed by each response, in compliance with Kentucky Public Service Commission Regulations and Orders.

(14) “And” and “or” should be considered to be both conjunctive and disjunctive, unless specifically stated otherwise.

(15) “Each” and “any” should be considered to be both singular and plural, unless specifically stated otherwise.

Respectfully submitted,

RUSSELL COLEMAN  
ATTORNEY GENERAL



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*Certificate of Service*

Pursuant to the Commission's Orders in Case No. 2020-00085, and in accord with all other applicable law, Counsel certifies that an electronic copy of the forgoing was served and filed by e-mail to the parties of record.

This 23<sup>rd</sup> day of August, 2024



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Assistant Attorney General

DEK Application for CPCN, etc.  
Case No. 2024-00152  
Attorney General's Initial Data Requests

1. Reference the application, paragraph 6. Confirm that the Miami Fort 6 plant is either decommissioned, or otherwise is not used by DEK. Has that plant been demolished?
2. Confirm that East Bend's wet flue gas desulfurization ("WFGD") removes an average of 97% of East Bend's sulfur dioxide (SO<sub>2</sub>) emissions.
3. Confirm that East Bend's WFGD currently utilizes magnesium enhanced lime ("MEL") technology to control SO<sub>2</sub> emissions.
4. Confirm that the costs of using the MEL technology has been increasing for several reasons, including: (i) the production of calcium sulfite solids that are difficult to dewater, which requires the use of additional materials and processing; and (ii) it requires the use of an expensive reagent, quicklime, and stabilization additives.
  - a. Confirm that these rising costs are affecting the competitiveness of the East Bend plant in power generation markets. If so confirmed, provide any data to support this conclusion.
  - b. Confirm that from the 1980s when quicklime cost approximately \$40 / ton, the cost had risen to \$133 / ton, an increase of approximately 232%.
5. Reference the Application in this matter, paragraph 11. Provide a more detailed explanation to support the Company's assertion that it expects the cost of the MEL reagent to continue rising at a rate double that of limestone.
6. Reference the Application, paragraph 12. Explain the additional limitations on MEL supply that DEK has learned about.
7. Reference the Application, paragraph 14, referring to East Bend's dispatch costs. Provide East Bend's dispatch costs for the last three years, broken down by month.
8. Confirm that DEK projects that with the proposed Limestone Conversion Project, East Bend's dispatch costs should decrease.
9. Explain whether the proposed project, if approved, will result in reduced production of poz-o-tec. If so confirmed, explain whether this will also result in less material to be deposited into DEK's landfill.
  - a. Explain also any impact on DEK's beneficial re-use of CCR materials, and/or sale of poz-o-tec to other utilities.
10. Provide the estimated amortization period over which the projected costs for the proposed project would be recovered in the environmental surcharge.

11. Referring to Application paragraph no. 15, confirm that DEK identified the following potential solutions: 1) a Lime Stone Conversion project; 2) conducting a request for proposals (RFP) to explore alternative sources for the existing MEL product with the correct chemical composition to operate the WFGD system; and 3) system renovations for onsite mixing of magnesium hydroxide with hi-calcium quicklime to create a replacement mag-lime product that possesses similar chemical composition to operate the existing WFGD system. If so confirmed, confirm also that:
  - a. DEK did not receive any cost-competitive bids in response to the RFP, thus eliminating that potential alternative;
  - b. Onsite chemical mixing was a more expensive alternative, and thus would further erode the East Bend plant's cost competitiveness; and
  - c. The conversion of the WFGD to a limestone inhibited oxidation process is the most economic and most reasonable solution.
12. Provide copies of any cost-benefit analyses / studies the Company conducted in regard to the study of the alternatives outlined in the Application, and as discussed in the question immediately above.