

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

In the Matter of:

ELECTRONIC 2024 INTEGRATED RESOURCE PLAN OF DUKE ENERGY KENTUCKY, INC.)	Case No. 2024-00197
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**SIERRA CLUB’S POST-HEARING REQUEST FOR INFORMATION TO DUKE
ENERGY KENTUCKY, INC.**

Sierra Club submits this Post-Hearing Request for Information (“RFI”) to Duke Energy Kentucky, Inc. (“Duke”) pursuant to the Commission’s December 16, 2024 Order in this matter. Sierra Club requests that Duke provide the following information and answer the following questions under oath. Please answer the questions and sub-questions in the order in which they are listed and in sufficient detail to provide a complete and accurate answer to the question. These question(s) are continuing in nature, and if there is a relevant change in circumstances, submit an amended answer, under oath, as a supplement to your original answer. Please state the name of the witness in this proceeding who will sponsor the answer to the question.

Responses to the Post-Hearing RFIs should be filed in this matter no later than January 20, 2024, or as modified by order in this case.

DEFINITIONS

Unless otherwise specified in each individual interrogatory or request, “you,” “your,” the “Company,” or “Duke,” refers to Duke Energy Kentucky, Inc., and its affiliates, directors, officers, employees, consultants, attorneys, and authorized agents.

“And” and “or” shall be construed either conjunctively or disjunctively as required by the context to bring within the scope of these interrogatories and requests for production of documents any information which might be deemed outside their scope by another construction.

“Any” means all, each and every example of the requested information.

“Communication” means any transmission or exchange of information between two or more persons, whether orally or in writing, and includes, without limitation, any conversation or discussion by means of letter, telephone, note, memorandum, telegraph, telex, telecopy, cable, email, or any other electronic or other medium.

“Control” means, without limitation, that a document is deemed to be in your control if you have the right to secure the document or a copy thereof from another person or public or private entity having actual possession thereof. If a document is responsive to a request, but is not in your possession or custody, identify the person with possession or custody. If any document was in your possession or subject to your control, and is no longer, state what disposition was made of it, by whom, the date on which such disposition was made, and why such disposition was made.

“Document” refers to written matter of any kind, regardless of its form, and to information recorded on any storage medium, whether in electrical, optical or electromagnetic form, and capable of reduction to writing by the use of computer hardware and software, and includes all copies, drafts, proofs, both originals and copies either (1) in the possession, custody or control of the Company regardless of where located, or (2) produced or generated by, known to or seen by the Company, but now in their possession, custody or control, regardless of where located whether or still in existence. Such “documents” shall include, but are not limited to, applications, permits, monitoring reports, computer printouts, contracts, leases, agreements,

papers, photographs, tape recordings, transcripts, letters or other forms of correspondence, folders or similar containers, programs, telex, TWX and other teletype communications, memoranda, reports, studies, summaries, minutes, minute books, circulars, notes (whether typewritten, handwritten or otherwise), agenda, bulletins, notices, announcements, instructions, charts, tables, manuals, brochures, magazines, pamphlets, lists, logs, telegrams, drawings, sketches, plans, specifications, diagrams, drafts, books and records, formal records, notebooks, diaries, registers, analyses, projections, email correspondence or communications and other data compilations from which information can be obtained (including matter used in data processing) or translated, and any other printed, written, recorded, stenographic, computer-generated, computer-stored, or electronically stored matter, however and by whomever produced, prepared, reproduced, disseminated or made. For purposes of the production of “documents,” the term shall include copies of all documents being produced, to the extent the copies are not identical to the original, thus requiring the production of copies that contain any markings, additions or deletions that make them different in any way from the original.

“Identify” means:

- a. With respect to a person, to state the person’s name, address and business relationship (e.g., “employee”) vis-à-vis the Company;
- b. With respect to a document, to state the nature of the document in sufficient detail for identification in a request for production, its date, its author, and to identify its custodian. If the information or document identified is recorded in electrical, optical or electromagnetic form, identification includes a description of the computer hardware or software required to reduce it to readable form.

“Person” means, without limitation, every natural person, corporate entity, partnership, association (formal or otherwise), joint venture, unit operation, cooperative, municipality, commission, governmental body or agency.

“Relating to” or “concerning” means and includes pertaining to, referring to, or having as a subject matter, directly or indirectly, expressly or implied, the subject matter of the specific request.

“Workpapers” are defined as original, electronic, machine-readable, unlocked, in native format, and with formulae and links intact.

INSTRUCTIONS

1. The Definitions, Instructions, and Claim of Privilege set out in this Request for Information apply to these questions.
2. In answering these questions, furnish all information that is available to you, including information in the possession of your agents, employees, and representatives, all others from whom you may freely obtain it, and your attorneys and their investigators.
3. Please answer each question based upon your knowledge, information, or belief, and any answer that is based upon information or belief should state that it is given on that basis.
4. If you have possession, custody, or control of the originals of these documents requested, please produce the originals or a complete copy of the originals and all copies that are different in any way from the original, whether by interlineation, receipt stamp, or notation.
5. If you do not have possession, custody, or control of the originals of the documents requested, please produce copies of the documents, however made, in your possession, custody, or control. If any document requested is not in your possession or subject to

your control, please explain why not, and give the present location and custodian of any copy or summary of the document.

6. If any question appears confusing, please request clarification from the undersigned counsel.
7. In providing your responses, please start each response on a separate page and type, at the top of the page, the question that is being answered.
8. As part of the response to each question, please state, at the bottom of the answer, the name and job position of each person who participated in any way, other than providing clerical assistance, in the preparing of the answer. If the question has sub-parts, please identify the person or persons by sub-part. Please also state the name of the witness in this docket who will sponsor the answer to the question and who can vouch for the truth of the answer. If the question has sub-parts, please identify the witness or witnesses by sub-part.
9. Rather than waiting to provide all of the responses at the same time, please provide individual responses as each becomes available.
10. Wherever the response to a request for information consists of a statement that the requested information is already available to Sierra Club, please provide a detailed citation to the document that contains the information. The citation shall include the title of the document, relevant page number(s), and to the extent possible paragraph number(s) and/or chart(s)/table(s)/figure number(s).
11. In the event that any document referred to in response to any request for information has been destroyed, specify the date and the manner of such destruction, the reason for such

destruction, the person authorizing the destruction and the custodian of the document at the time of its destruction.

12. These questions are continuing in nature. If there is a change in circumstances or facts or if you receive or generate additional information that changes your answer between the time of your original response and the time of the hearings, then you should submit, under oath, a supplemental response to your earlier answer.
13. If you consider any question to be unduly burdensome, or if the response would require the production of a voluminous amount of material, please call the undersigned counsel as soon as possible in order to discuss the situation and to try to resolve the problem. Likewise, if you object to any of the questions on the grounds that the question seeks confidential information, or on any other grounds, please call the undersigned counsel as soon as possible.
14. If the response to any question is voluminous, please provide separately an index to the materials contained in the response.
15. If the information requested is included in previously furnished exhibits, workpapers, or responses to other discovery inquiries or otherwise, in hard copy or electronic format, please furnish specific references thereto, including Bates Stamp page citations and detailed cross-references.
16. Data should be provided in native electronic format including active EXCEL workbooks and all linked workbooks, with all formulas, cell references, links, etc., intact, functioning, and complete for all tables, figures, and attachments in the testimony.

17. To the extent that a question asks for the production of copyrighted material, it is sufficient to provide a listing of such material, indicating the title, publisher, author, edition, and page references relied on or otherwise relevant to the question.
18. Sierra Club reserves the right to serve supplemental, revised, or additional information requests as permitted in this proceeding.

PRIVILEGE

If you claim a privilege including, but not limited to, the attorney-client privilege or the work product doctrine, as grounds for not fully and completely responding to any request for information or request for production, describe the basis for your claim of privilege in sufficient detail so as to permit meaningful evaluation of the validity of the claim. With respect to documents for which a privilege is claimed, produce a “privilege log” that identifies the author, recipient, date and subject matter of the documents or interrogatory answers for which you are asserting a claim of privilege and any other information pertinent to the claim that would likewise enable evaluation of the validity of such claims.

REQUESTS FOR INFORMATION

- 3-1. Produce Duke Energy Corporation’s most recent forecast of natural gas prices.
- 3-2. Produce the Company’s estimate of costs to bring the East Bend coal unit into compliance with EPA’s Supplemental Effluent Limitations Guidelines and Standards for the Steam Electric Power Generating Point Source Category, 89 Fed. Reg. 40,198 (May 9, 2024), including, without limitation, consideration of the coal residual leachate requirements.
 - a. Please break down all costs by component or treatment or process change, and include all component-specific estimates.
 - b. Please confirm that under the Supplemental ELG Rule, ceasing coal combustion at East Bend by 2034 would avoid the requirement to achieve zero-discharge for leachate.

- c. Please provide the costs that would be avoided if Duke is not required to install zero-discharge technology for leachate discharges from East Bend.
- 3-3. Refer to the Company's response to Sierra Club Post-Hearing Information Request #2. State whether the Company could avoid or reduce compliance costs by taking advantage of the exemption for an electric generating unit ("EGU") that ceases burning coal by 2034. If some compliance costs could be avoided by ceasing coal burning and others could not, please break down the costs that could and could not be avoided.
- 3-4. Confirm that, under the April 2024 ELG Update Final rule, a coal unit that ceases burning coal by 2034 does not need to achieve zero discharge of coal residual leachate requirement, but could instead use chemical participation as a compliance measure. If denied, please state the complete basis of your denial.
- 3-5. Please refer to the hearing testimony of Mr. Michael Geers, and answer the following questions with respect to the East Bend coal unit:
 - a. Please identify any exceedances of the currently-applicable MATS standards;
 - b. Please provide the rolling 30-day filterable pm emissions both on an absolute basis (i.e., total pounds) and lbs/MMBtu basis, as well as the MMBtu heat input.
 - c. Refer to the Company's response to Sierra Club Post-Hearing Information Request 5(b). Based on these reported emissions, please identify any set of emission that would have violated a 30-boiler-day rolling average of 0.010 pounds/MMBTU;
 - d. Please state whether East Bend could comply with EPA's National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units Review of the Residual Risk and Technology Review, 89 Fed. Reg. 38,508 (May 7, 2024) ["MATS Update Rule"], without going through the FGD upgrade proposed in Commission Case No. 2024-00152, soon to be re-filed under a new case number.
 - e. Please confirm that in the MATS Update Rule, EPA did not include East Bend among the power plants that the agency projected to have compliance costs or obligations.
 - f. Please state whether the Company considered any other compliance pathways for the MATS Update Rule. For each alternative considered, including the FGD upgrade, please provide the:
 - i. Estimated capital costs;
 - ii. Estimated increase in O&M costs; and
 - iii. Estimated reductions in fPM emissions

- g. Please provide the comments of the Company on the MATS Update Rule.
- 3-6. Would proceeding with Duke's Limestone Conversion Project be economically rational if Duke were to convert East Bend to gas by 2030? Produce any modeling or other quantitative information that supports your answer.
- 3-7. Please confirm that if East Bend were to convert to natural gas or to co-firing of natural gas and coal, the unit would be dispatchable.
- 3-8. Confirm that Duke has not asked any discovery questions of Sierra Club in this proceeding.

Dated: December 20, 2024

Respectfully submitted,

/s/ Joe F. Childers
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CERTIFICATE OF SERVICE

This is to certify that the foregoing copy of in this action is being electronically transmitted to the Commission on December 20, 2024, and that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding.

/s/ Joe F. Childers
JOE F. CHILDERS