

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

ELECTRONIC APPLICATION OF KENTUCKY POWER :
COMPANY FOR (1) AN ORDER APPROVING THE TERMS :
AND CONDITIONS OF THE RENEWABLE ENERGY :
PURCHASE AGREEMENT FOR SOLAR ENERGY :
RESOURCES BETWEEN KENTUCKY POWER COMPANY :
AND BRIGHT MOUNTAIN SOLAR, LLC; (2) : **Case No 2024-00243**
AUTHORIZATION TO ENTER INTO THE AGREEMENT; :
(3) RECOVERY OF COSTS THROUGH TARIFF P.P.A.; (4) :
APPROVAL OF ACCOUNTING PRACTICES TO ESTABLISH :
A REGULATORY ASSET; AND (5) ALL OTHER REQUIRED :
APPROVALS AND RELIEF. :

**MOTION TO INTERVENE OF
KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC.**

Pursuant to 807 KAR 5:001, Section 4(11), KRS 278.310, and KRS 278.040(2), Kentucky Industrial Utility Customers, Inc. (“KIUC”) requests that it be granted full intervenor status in the above-captioned proceeding(s) and states in support thereof as follows:

1. 807 KAR 5:001, Section 4(11)(a)(1) requires that a person requesting leave to intervene as a party to a case before the Kentucky Public Service Commission (“Commission”), by timely motion, must state his or her interest in the case and how intervention is likely to present issues or develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings.
2. 807 KAR 5:001, Section 4(11)(b) provides that the Commission shall grant a person leave to intervene if the Commission finds that he or she has made a timely motion for intervention and that he or she has a special interest in the case that is not otherwise adequately represented or that his or her intervention is likely to present issues or to develop facts that assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings.

3. KIUC is an association of the largest electric and gas public utility customers in Kentucky. The purpose of KIUC is to represent the industrial viewpoint on energy and utility issues before this Commission and before all other appropriate governmental bodies. The attorneys for KIUC authorized to represent them in this proceeding and to take service of all documents are:

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4. KIUC filed a timely motion to intervene in this proceeding.

5. KIUC has a special interest in this case. The member(s) of KIUC who is served by Kentucky Power Company (“Kentucky Power” or “Company”) and will participate herein is: Catlettsburg Refining LLC, a subsidiary of Marathon Petroleum LP (“Marathon”).¹

6. Marathon is the largest customer on the Kentucky Power system, purchasing approximately 15% of all energy sold at retail by the Company. Marathon is the largest petroleum refiner in the U.S. Marathon operates 16 refineries across the country and the Catlettsburg, Ky. refinery is the fourth largest. Electricity is a critical feedstock to the Catlettsburg refinery. Kentucky Power’s request for approval of a Renewable Energy Purchase Agreement and recovery of the associated costs through Tariff P.P.A. will directly impact Marathon’s electric rates.

7. KIUC’s intervention is likely to present issues or develop facts that will assist the Commission in fully considering the matters at hand. KIUC has participated in ratemaking matters before this Commission since 1978 and was formally incorporated in 1983. Over the past 30 years alone, KIUC has intervened in nearly one hundred cases addressing electric rate and service issues. In these proceedings, KIUC currently expects to, at minimum, conduct

¹ KIUC will supplement the names of additional KIUC member intervenors, if necessary.

discovery, file expert testimony, and actively participate at the evidentiary hearing. Hence, KIUC will be a helpful and active participant should its request to intervene be granted.

8. KIUC intends to play a constructive role in the Commission's decision-making process.
9. KIUC's intervention will not unduly complicate or disrupt the proceedings.

WHEREFORE, KIUC requests that it be granted full intervenor status in the above-captioned proceeding.

Respectfully submitted,

/s/ Michael L. Kurtz

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