

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

In the Matter of:

ELECTRONIC 2024 JOINT INTEGRATED  
RESOURCE PLAN OF KENTUCKY UTILITIES  
COMPANY AND LOUISVILLE GAS AND  
ELECTRIC COMPANY

CASE NO. 2024-00326

**COMMENTS OF JOINT INTERVENORS KENTUCKIANS FOR THE  
COMMONWEALTH, KENTUCKY SOLAR ENERGY SOCIETY,  
METROPOLITAN HOUSING COALITION, AND MOUNTAIN  
ASSOCIATION REGARDING COMMISSION STAFF'S REPORT ON THE  
2024 INTEGRATED RESOURCE PLAN OF LOUISVILLE GAS AND  
ELECTRIC COMPANY AND KENTUCKY UTILITIES COMPANY**

*Of Counsel (Not Licensed in Kentucky)*

Cassandra McCrae  
Gilbert Zelaya  
Earthjustice  
1617 John F. Kennedy, Blvd.  
Ste. 2020  
Philadelphia, PA 19103  
(215) 671-6493  
[cmcrae@earthjustice.org](mailto:cmcrae@earthjustice.org)  
[gzelaya@earthjustice.org](mailto:gzelaya@earthjustice.org)  
(admitted *pro hac vice*)

Byron L. Gary  
Ashley Wilmes  
Kentucky Resources Council  
P.O. Box 1070  
Frankfort, Kentucky 40602  
(502) 875-2428  
[Byron@kyrc.org](mailto:Byron@kyrc.org)  
[Ashley@kyrc.org](mailto:Ashley@kyrc.org)

*Counsel for Joint Intervenors Kentuckians  
for the Commonwealth, Kentucky Solar  
Energy Society, Metropolitan Housing  
Coalition, and Mountain Association*

Dated: August 22, 2025

**COMMENTS OF JOINT INTERVENORS KENTUCKIANS FOR THE  
COMMONWEALTH, KENTUCKY SOLAR ENERGY SOCIETY,  
METROPOLITAN HOUSING COALITION, AND MOUNTAIN  
ASSOCIATION REGARDING COMMISSION STAFF'S REPORT ON THE  
2024 INTEGRATED RESOURCE PLAN OF LOUISVILLE GAS AND  
ELECTRIC COMPANY AND KENTUCKY UTILITIES COMPANY**

Pursuant to the Public Service Commission's ("the Commission") May 19, 2025 Order in this matter, Kentuckians for the Commonwealth, Kentucky Solar Energy Society, Metropolitan Housing Coalition, and Mountain Association (collectively, "Joint Intervenors") respectfully provide these written comments regarding the *Commission Staff's Report on the 2024 Integrated Resource Plan of Louisville Gas and Electric Company and Kentucky Utilities Company* (July 2025) ("the Report").

First, Joint Intervenors sincerely appreciate the Commission's dedication to maintaining transparency and stakeholder engagement by upholding a hearing focused on obtaining additional information and clarity in this Integrated Resource Plan ("IRP") proceeding. With the benefit of hindsight, it is abundantly clear that holding a hearing in this proceeding was in fact administratively efficient, non-duplicative, and worthwhile. As noted in earlier comments responding to LG&E and KU's joint motion to amend the procedural schedule, hearings allow for robust engagement from both the public and intervenor groups offering their unique perspectives to assist the Companies in improving their planning process with the shared goal of advancing affordable and reliable service. For that reason alone, hearings are an indispensable component of IRP proceedings and are administratively efficient. Indeed, a hearing in this IRP proceeding undoubtedly allowed for a more efficient hearing on the substantive issues in the Companies' CPCN application.

It is also clear that the Companies' long-term planning process is inextricably intertwined with the separate but contemporaneous CPCN proceeding. As Staff note in the Report, this overlap of IRP and CPCNs should not be inherently problematic as the close-in-time models are likely to share many characteristics by virtue of relying on similar data. (Report at 52). And at the core, both proceedings revolve around the same question regarding the amount of economic development related load growth expected and the unprecedented build out of generation and transmission needed to serve data center load growth anticipated by the Companies. Joint Intervenor respectfully reiterates that the Companies' resource planning decisions have real and practical implications for ratepayers, and accordingly should be presented in a transparent, accessible, and comprehensive manner that allows for full stakeholder participation and collaboration. Resistance to intervenor recommendations regarding topics relevant to the CPCN or rate proceedings throughout the IRP process was misplaced, as the scope of an IRP necessarily encompasses the Companies' proposals for new capital investments in generation, transmission, and distribution assets, as well as requests for substantial increases to annual revenue requirements. While an IRP is a "snapshot in time," it need not be a static planning process that ignores real-time developments. Prudent planning includes consideration of all relevant factors to protect ratepayers from increasing costs. A willingness to engage with and consider all issues relevant to the development of a least-cost portfolio in future IRPs, including the consideration of the Companies' proposals for new generation and rate base increases, can only serve to allow for a more transparent and comprehensive long-range planning review.

Second, Joint Intervenors continue to emphasize the importance of adequately evaluating demand-side management opportunities, particularly the role that inclusive utility investments in customer efficiency and distributed energy resources can play in meeting system needs as LG&E/KU plan to meet unprecedented new load demands. Staff appropriately recommends that LG&E/KU change the way DSM/EE programs and DER are evaluated by assigning non-zero capacity values on par with supply side resources. (Report at 53). Joint Intervenors applaud this recommendation, as appropriately modeling DSM/EE and DER savings potential on equal footing with more costly supply-side options will better enable the Commission to protect ratepayers from unnecessary investments in new generation that is not yet needed. As confirmed at the hearing, the Companies' relied on a potential study from 2021 and outdated avoided costs to study DSM resources in this IRP (see JI PH Comment at 15). Had LG&E/KU seriously evaluated DSM/EE and DER in this proceeding, the potential to mitigate or offset significant load growth could have been accurately accounted for. Accordingly, Joint Intervenors are in full agreement with Staff, that DSM/EE programs and DER "continue to represent meaningful opportunities for ratepayers to control their energy costs" and those programs "represent real capacity headroom that must be properly accounted for in order to ensure LG&E/KU has an accurate picture of its capacity and energy needs moving forward." (Report at 53).

Finally, following the same theme of requiring an accurate picture of capacity and energy needs, it bears noting Staff's multiple recommendations for more fulsome and transparent analysis that should take place before investments for new generation are made. In addition to DSM/EE programs and DER, Staff also recommend, among other

things, that LG&E/KU “investigate whether capacity and energy are available with transmission upgrades to serve large load customers who want to come online before 2032” and utilize that objective standard to “rerun its models and resources, accounting for any necessary transmission upgrades to allow for the economic selection of imported capacity and energy resources instead of solely modeling reliance on constructing and operating new generation.” (Report at 54). Staff also “stresses the importance of LG&E/KU utilizing objective and replicable standards by which it evaluates all prospective data center load growth, or other comparable industrial or commercial load growth.” (Report at 50). Joint Intervenors emphasize the importance of these recommendations, especially in light of LG&E/KU’s proposal for an unprecedented build-out of new generation in the adjacent CPCN application. Joint Intervenors respectfully maintain that the Companies’ have not provided sufficient evidence to justify the levels of load assumed. We repeat that only objectively *verifiable* incoming loads should be included in the Companies’ planning. As recommended by AEC in the White Paper attached to Joint Intervenor’s Initial Comment, “LG&E-KU should provide documentation and clear rationale supporting its high expectations for data centers locating in the territory over the next five years.” (AEC Report at 21). To the extent that reasonably anticipated incoming load can be met with cost-effective investments to the Companies’ existing system, that is information that should be readily-available and known to the Commission prior to the approval of investments in new generation.

## **CONCLUSION**

Joint Intervenors continue to recommend that future IRPs incorporate the recommendations offered in the AEC Report and Joint Intervenors' Initial Comment, and elaborated on in Joint Intervenors' Post-Hearing Comment. The Commission's willingness to support full and fair review processes and Staff's always rigorous and thoughtful engagement in IRP proceedings materially improves utility resource planning, and Joint Intervenors continue to be grateful for the opportunity to participate.

[Signature on next page]

Respectfully Submitted,



*Of Counsel (Not Licensed in Kentucky)*

Cassandra McCrae  
Gilbert Zelaya  
Earthjustice  
1617 John F. Kennedy, Blvd.  
Ste. 2020  
Philadelphia, PA 19103  
(215) 671-6493  
[cmcrae@earthjustice.org](mailto:cmcrae@earthjustice.org)  
[gzelaya@earthjustice.org](mailto:gzelaya@earthjustice.org)  
(admitted *pro hac vice*)

Byron L. Gary  
Ashley Wilmes  
Kentucky Resources Council  
P.O. Box 1070  
Frankfort, Kentucky 40602  
(502) 875-2428  
[Byron@kyrc.org](mailto:Byron@kyrc.org)  
[Ashley@kyrc.org](mailto:Ashley@kyrc.org)

*Counsel for Joint Intervenor Kentuckians  
for the Commonwealth, Kentucky Solar  
Energy Society, Metropolitan Housing  
Coalition, and Mountain Association*

### **CERTIFICATE OF SERVICE**

In accordance with the Commission's July 22, 2021 Order in Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19*, this is to certify that the electronic filing was submitted to the Commission on August 22, 2025; that the documents in this electronic filing are a true representation of the materials prepared for the filing; and that the Commission has not excused any party from electronic filing procedures for this case at this time.



\_\_\_\_\_  
Byron L. Gary