

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

In the Matter of:

ELECTRONIC 2024 JOINT INTEGRATED	)	
RESOURCE PLAN OF LOUISVILLE GAS AND	)	
ELECTRIC COMPANY AND KENTUCKY UTILITIES	)	CASE NO. 2024-00326
COMPANY	)	

**JOINT MOTION OF MOUNTAIN ASSOCIATION, KENTUCKIANS FOR THE  
COMMONWEALTH, KENTUCKY SOLAR ENERGY SOCIETY, AND  
METROPOLITAN HOUSING COALITION FOR FULL INTERVENTION AS  
JOINT INTERVENORS**

Come now Mountain Association (“MA”), Kentuckians for the Commonwealth (“KFTC”), Kentucky Solar Energy Society (“KYSES”), and Metropolitan Housing Coalition (“MHC”) (collectively “Movants”), by and through counsel, and move for leave to participate as full Joint Intervenors in the above-captioned proceeding. In support of this Joint Motion, Movants state as follows:

1. Intervention in formal proceedings before the Kentucky Public Service Commission (“Commission”) is within the sound discretion of the Commission and is governed by 807 KAR 5:001, Section 4(11), which provides in relevant part that:

A person who wishes to become a party to a case before the Commission may, by timely motion, request leave to intervene. [ ] The motion shall include the movant’s full name, mailing address, and electronic mail address and shall 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.<sup>1</sup>

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 they have made a timely

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<sup>1</sup> 807 KAR 5:001 §4(11)(a)(1).

motion for intervention and have a special interest in the case that is not otherwise adequately represented or that their 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. This motion for intervention is timely, since under the *Order* entered on October 30, 2024, by the Commission in this case establishing the procedural schedule, a motion for intervention is deemed timely if filed not later than November 8, 2024.<sup>2</sup> Movants, if granted Joint Intervenor status, will accept and abide by the procedural schedule, including the filing of any requests for information, testimony, and response to any requests for information, so that there is no prejudice to the applicant or other parties from the grant of full joint intervenor status to Movants at this time.

4. Movants' interests in the *Electronic 2024 Joint Integrated Resource Plan of Louisville Gas and Electric Company and Kentucky Utilities Company* are different than those of the existing parties, and their participation 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."<sup>3</sup>

5. Existing parties to the proceeding do not adequately represent the interests of Movants. No current party represents the specific perspective and interests of Movants, as discussed below.

6. 807 KAR 5:001 Section 4(11)(b) provides that the Commission will grant full intervention status if the person "has special interests in the case that is not otherwise adequately represented" or "that his or her intervention is likely to present

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<sup>2</sup> *Order* (Oct. 30, 2024).

<sup>3</sup> 807 KAR 5:001 §4(11)(a)1.

issues or to develop facts that assist the commission in fully considering the matter without unduly complicating or disrupting the proceedings.” The special interests of Movants in the pending case are squarely within the ambit of the Commission’s jurisdiction over rates and service, and as noted above and discussed below, are not adequately represented by existing parties. The participation of Mountain Association (“MA”), Kentuckians for the Commonwealth (“KFTC”), Kentucky Solar Energy Society (“KYES”) and Metropolitan Housing Coalition (“MHC”), as Joint Intervenors will neither complicate or disrupt the proceedings, since the discovery, testimony, and witnesses will be jointly offered by the three organizations, who have adopted internal procedures to assure timely decision-making and coordinated participation with one voice in this case. Movants MA, KFTC, KYSES, and MHC participated as Joint Intervenors in Case Nos. 2021-00393 and 2022-00402 involving Louisville Gas and Electric Company (“LG&E”) and Kentucky Utilities Company (“KU”) (together, “LG&E-KU”), and Movants have participated as Joint Intervenors in Commission proceedings involving other utilities and have neither complicated nor disrupted those proceedings.

7. MA is a non-profit corporation in good standing incorporated in the Commonwealth of Kentucky, with an office at 433 Chestnut Street, Berea, Kentucky, 40403. MA works with people in eastern Kentucky and Central Appalachia to create economic opportunity, strengthen democracy, and support the sustainable use of natural resources. MA’s energy programs work to strengthen the region’s residents, small businesses, local governments, communities, and nonprofits by helping to reduce energy costs and consumption, increase energy security, and build resilience in the face of climate change. MA has worked with hundreds of small commercial customers of

LG&E-KU over fifteen (15) years providing financing to access investments in energy efficiency and renewable energy, resulting in reduced operating expenses. At the same time, MA has assisted energy contractors with technical trainings and equipment financing to grow their businesses.

8. On December 4, 2020, Kentucky Energy and Environment Cabinet Secretary Rebecca Goodman announced MA as the recipient of the 2020 Environmental Pacesetter Award, given for innovative efforts in protecting the environment and setting an example of environmental stewardship.<sup>4</sup>

9. It is clear that MA has a special interest in the case that is “not otherwise adequately represented” and alternatively that MA’s intervention as a Joint Intervenor “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.”<sup>5</sup>

10. KFTC is a non-profit corporation in good standing incorporated in the Commonwealth of Kentucky with its principal office located at 131 North Mill Street, London, Kentucky 40743, and also maintains an office at 786 Shelby Street, Louisville, Kentucky 40203, where it is an LG&E ratepayer.

11. KFTC is a forty-three-year-old, multi-issue grassroots organization of Kentuckians inspired by a vision to work for a brighter future for all people, no matter our color, where we come from, or how much money we have. Together, KFTC members organize for a fair economy, a healthy environment, new safe energy, and an honest democracy. KFTC has twelve chapters across the state with over 12,000

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<sup>4</sup> KYDEP, “Gov. Andy Beshear and Secretary Rebecca Goodman Announce Annual Environmental Awards of Excellence,” Naturally Connected (Dec. 4, 2020), <https://kydep.wordpress.com/2020/12/04/gov-andy-beshear-and-secretary-rebecca-goodman-announce-annual-environmental-awards-of-excellence/>.

<sup>5</sup> 807 KAR 5:001 § 4(11)(a)(1).

members in nearly all of Kentucky's 120 counties—including a Jefferson County Chapter, and a Central Kentucky Chapter centered in Fayette County, with over 1,000 members who get their residential electric utility service from LG&E-KU. As an organization, KFTC has been involved with issues affecting low-income residential ratepayers for over thirty years and has significant experience in educating the public and supporting both public comments and expert testimony in rate cases and has gained a deep understanding of the needs of residential customers across the state for energy efficiency, demand side management, and a healthy energy system, and the consequences for communities of the transition to clean energy. As a member-based organization with deep roots in the region, KFTC is uniquely positioned to be a voice for the needs and interests of LG&E-KU residential ratepayers who are also KFTC members.

12. It is clear that KFTC has a special interest in the case that is “not otherwise adequately represented” and alternatively that KFTC’s intervention as a Joint Intervenor “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.”<sup>6</sup>

13. KYSES is a non-profit corporation in good standing, incorporated in the Commonwealth of Kentucky, with its principal office at 215 Oxford Place, Louisville, KY 40207.

14. The mission of KYSES is to promote the use of renewable energy resources, energy efficiency, and conservation in Kentucky through education, advocacy, networking, and demonstration of practical applications. KYSES is comprised of members who include residential solar energy customers taking service from

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<sup>6</sup> *Id.*

LG&E-KU; solar energy enthusiasts (including potential future solar customers); professionals working in the clean energy field in business, nongovernmental organizations, and academia; and advocates for a transition to a clean energy economy.

15. It is clear that KYSES has a special interest in the case that is “not otherwise adequately represented” and alternatively that KYSES’s participation as a Joint Intervenor “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.”

16. MHC is a nonprofit, nonpartisan membership organization incorporated under the laws of the Commonwealth of Kentucky in 1989, with an office in Metro Louisville taking service from LG&E, and comprised of approximately 300 individual and organizational members. MHC members include representatives of low-income households, private and non-profit housing developers, service providers, financial institutions, labor unions, faith-based and neighborhood groups, and other advocacy groups, advocating with a united voice for fair, safe, and affordable housing in the Metro Louisville area. For almost three decades, MHC has utilized the public and private resources of the Metro Louisville community to provide equitable, accessible housing choices for all persons through advocacy, public education, and through support for affordable housing providers.

17. As part of its mission, MHC has focused on electric and gas utility costs as an integral component of fair and affordable housing for many years. The MHC 2008 State of Metropolitan Housing Report focused on utility costs and affordable housing, as did the follow-up MHC 2013 report on How to Lower Utility Costs. Utility costs are a

significant component of affordable shelter and on these issues, MHC has done research, effectively advocated for policy changes, represented non-profit affordable housing developers, and worked with local and statewide organizations. MHC was an original board member of the Affordable Energy Corporation. MHC brings a perspective on the impact of decisions regarding capital investment and demand side strategies regarding utility service and the particular and disproportionate impacts that utility costs have on access to affordable housing for fixed- and low-income individuals and families. MHC has been an active member of the LG&E Customer Care Advisory Group since the program's inception and a member of the LG&E-KU Energy Efficiency Advisory Group. In 2016, MHC worked with LG&E to update the How to Lower Utility Costs: A Guide to Louisville Programs for Energy Efficient Improvements and Resources to Help Pay a Utility Bill, which MHC had first written and published in 2013. MHC has continued to research and analyze energy affordability, accessibility, and equity issues in the 2020-2021 and 2022 State of Metropolitan Housing Reports—with particular focus on households at-risk of disconnections and shutoffs and contextualized in the fallout of the global pandemic. The 2023 State of Metropolitan Housing Report focused on the state of housing in a changing climate.

18. MHC maintains a loan pool for non-profit developers to create affordable housing, whether rental or owner-occupied, new or rehabilitated. MHC mandates energy efficiency measures and encourages renewable energy provision as a method of better controlling electricity costs. MHC has expanded this work as a community-based partner in Louisville Metro Government's technical assistance grant through the U.S. Department of Energy's Communities Local Energy Action Program

(Communities LEAP) Pilot and Buildings Upgrades Award, as the need for creating sustainable energy programs targeting economically disadvantaged households is essential to solving the attainable housing crisis in Louisville.

19. In Case Nos. 2021-00393 and 2022-00402 involving LG&E-KU, the Commission agreed that MA, KFTC, KYSES, and MHC's participation was "likely to present issues and develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings."<sup>7</sup> Also within the past year alone MA, KFTC, KYSES, and/or MHC were granted Joint Intervenor status and participated to present issues and develop facts that assisted the Commission in fully considering matters without unduly complicating or disrupting the proceedings in Cases No. 2024-00115, 2023-00422, 2023-00413, 2023-00404, and 2023-00310 among others.

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<sup>7</sup> *Electronic 2021 Joint Integrated Resource Plan of Louisville Gas and Electric Company and Kentucky Utilities Company*, Case No. 2021-00393, Order (Jan. 11, 2022) at 4; *Electronic Joint Application of Kentucky Utilities Company and Louisville Gas and Electric Company for Certificates of Public Convenience and Necessity and Site Compatibility Certificates and Approval of a Demand Side Management Plan*, Case No. 2023-00402, Order (Feb. 07, 2023) at 4.



WHEREFORE, for the reasons stated above, Joint Movants MA, KFTC, KYSES, and MHC respectfully request to be accorded the status of full Joint Intervenors, and that each party to the case be directed to serve upon the undersigned counsel, all future pleadings and documents that are filed in this case.

Respectfully Submitted,



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Intervention Mountain Association,  
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### **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 November 08, 2024; 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.

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Byron Gary