

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

In the matter of: :

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

**KENTUCKY COAL ASSOCIATION’S FIRST REQUEST FOR INFORMATION TO
KENTUCKY UTILITY COMPANY AND LOUISVILLE GAS & ELECTRIC COMPANY**

The Kentucky Coal Association (KCA) intervener in this action, respectfully requests the applicant, Kentucky Utilities Company and Louisville Gas and Electric Company (collectively, the “Companies”), to respond to the First Request of Information in accordance with the Order of Procedure entered herein.

Additional Instructions

A. Each request for information shall be accorded a separate answer on a separate piece of paper, and each subpart thereof shall be accorded a separate answer. Each request or subpart thereof shall be specifically admitted or denied, and information inquiries or subparts thereof should not be combined for the purpose of supplying a common answer.

B. Restate the information inquiry immediately preceding each response.

C. Identify the name, title, and business address of each person(s) providing each response and provide the data on which the response was created.

D. In answering these requests, utilize all information and documents that are available to you, including information in the possession of any of your agents, employees or attorneys, or otherwise subject to your custody or control.

E. If you object to any part of a request, answer all parts of such interrogatories or requests to which you do not object, and as to each part to which you do object, separately set forth the specific basis for the objection.

F. If you claim any form of privilege or other protection from disclosure as a ground for withholding information responsive to a request, please explain your claim with sufficient specificity to permit KCA to make a full determination as to whether your claim is valid.

G. In each instance, the request shall be construed so as to require the most inclusive answer or production.

H. Please attach written material to any answer for which written material is requested and/or available. If such written material is not available, state where it may be obtained. Please label the written material with the number of the request to which it pertains.

Definitions

As used in these Requests for Information, the following terms have the meaning as set forth below:

1. "You" or "your" means the Companies or the witness, as the context requires.
2. "List", "describe", "explain", "specify" or "state" shall mean to set forth fully, in detail, and unambiguously each and every fact of which the Companies or their officers, employees, agents or representatives, have knowledge which is relevant to the answer called for by the request.
3. The terms "document" or "documents" as used herein shall have the same meaning and scope as in Rule 34 of the Kentucky Rules of Civil Procedure and shall include, without limitation, any writings and documentary material of any kind whatsoever, both originals and copies (regardless of origin and whether or not including additional writing thereon or

attached thereto), and any and all drafts, preliminary versions, alterations, modifications, revisions, changes and written comments of and concerning such material, including but not limited to: correspondence, letters, memoranda, notes, reports, directions, studies, investigations, questionnaires and surveys, inspections, permits, citizen complaints, papers, files, books, manuals, instructions, records, pamphlets, forms, contracts, contract amendments or supplements, contract offers, tenders, acceptances, counteroffers or negotiating agreements, notices, confirmations, telegrams, communications sent or received, print-outs, diary entries, calendars, tables, compilations, tabulations, charts, graphs, maps, recommendations, ledgers, accounts, worksheets, photographs, tape recordings, movie pictures, videotapes, transcripts, logs, work papers, minutes, summaries, notations and records of any sort (printed, recorded or otherwise) of any oral communication whether sent or received or neither, and other written records or recordings, in whatever form, stored or contained in or on whatever medium including computerized or digital memory or magnetic media that:

- (a) are now or were formerly in your possession, custody or control; or
- (b) are known or believed to be responsive to these requests, regardless of who has or formerly had custody, possession or control.

4. The terms "identify" and "identity" when used with respect to an entity mean to state its full name and the address of its principal place of business.

5. The term to "state the basis" for an allegation, contention, conclusion, position or answer means (a) to identify and specify the sources therefore, and (b) to identify and specify all facts on which you rely or intend to rely in support of the allegation, contention, conclusion, position or answer, and (c) to set forth and explain the nature and application to the relevant facts of all pertinent legal theories upon which you rely for your knowledge, information and/or belief

that there are good grounds to support such allegation, contention, conclusion, position or answer.

6. The terms "and" and "or" have both conjunctive and disjunctive meanings as necessary to bring within the scope of the request any information or documents that might otherwise be construed to be outside their scope; "all" and "any" mean both "each" and "every".

7. The terms "relates to" or "relating to" mean referring to, concerning, responding to, containing, regarding, discussing, describing, reflecting, analyzing, constituting, disclosing, embodying, defining, stating, explaining, summarizing, or in any way pertaining to.

8. The term "including" means "including, but not limited to."

FIRST REQUEST FOR INFORMATION OF KCA

- 1-1. With respect to new CCGT and new SCCT,
- a. Please confirm that dual fuel capability is not included in the costs.
 - b. Please provide the Companies' understanding of all events that could affect deliverability of natural gas in the future.
 - c. Please provide any analyses the Companies considered related to dual fuel including on-site oil and mini-LNG that would provide on-site dual fuel capability.
 - d. Please provide the assumed depreciation periods for the new CCGT and SCCT in each case.
- 1-2. Please provide the justification for the use of the coal to gas (CTG) methodology for determining coal prices employed in the IRP including examples of all industry forecasts based upon this methodology upon which the Companies relied.
- 1-3. Please provide all assumptions regarding data center growth including:
- a. The number and size of the data centers included in each scenario in the IRP;
 - b. A generic contract the Companies intend to use for the data centers;
 - c. The implications if any of the recent FERC order regarding Talen and the Susquehanna nuclear plant;¹
 - d. The protections the Companies are expected to include for its traditional customers in their data center contracts to protect traditional ratepayers

¹ https://elibrary.ferc.gov/eLibrary/filelist?accession_number=20241101-3061&optimized=false

from being exposed to cost recovery if there is early termination of a data center contract;² and

- e. Whether the represented data center load growth is being “shopped” with other companies and therefore not firm.
- 1-4. Please provide the potential impacts to the Companies’ resource plan that could result from the recent presidential election including but not limited to the following:
- a. Repeal of the PTC (production tax credit) and ITC (investment tax credit) included in the Inflation Reduction Act;
 - b. Repeal of the new GHG Rules, ELG rules, CCR rules, GNR rules, etc.;
 - c. The impact of the SCOTUS decision regarding the Chevron Doctrine (*Loper Bright Enterprises* Case) on future environmental regulations; and
 - d. The impact of permitting additional LNG facilities on the price of natural gas.
- 1-5. Please indicate whether the 2024 scenarios are sufficient to address the potential consequences of the items mentioned above (Q.1-4).
- 1-6. Please quantify the dollars at risk if the Companies abandon their plans for MC5 allowing MC1 and MC2 to continue to operate.
- 1-7. Explain why the Companies think the NREL projection that the cost of solar facility installations will fall by more than 30% by 2035 should be considered in this analysis?
- 1-8. What is the impact to the Recommended Resource Plan, if solar prices do not fall by 2035? Explain why it is likely some level of solar will be least-cost even without CO2 regulations.
- 1-9. Please explain why Mill Creek 3 and 4 retirement was accelerated to 2035?
- 1-10. Please provide all cost projections for each scenario on an annual basis used to calculate all PVRR’s used for comparative purposes.
- 1-11. Please provide the current estimated cost of construction for Mill Creek 5, Brown BESS, Mercer County Solar, Marion County Solar.
- 1-12. As it pertains to data center load growth, please provide the status of commitment by customer and year throughout the forecast period.
- 1-13. As it pertains to data center load growth, please identify any facilities that plan to locate outside of the Companies’ service territory but request power from the Companies.

² An example of the expected protections is provided in the AEP Ohio case (24-508-EL-ATA) with the Public Utilities Commission of Ohio.

- 1-14. As it pertains to data center load growth, please provide the estimated investment cost of the upgrades to transmission and distribution costs associated with serving these data centers.
- 1-15. Assuming these potential data centers are considering multiple jurisdictions, do the Companies acknowledge that multiple LDCs across the United States are more than likely including the same load within their IRPs?

Respectfully submitted,

/s/Matt Malone

Matthew R. Malone (90508)
Aaron D. Reedy (90523)
Hurt, Deckard & May PLLC
201 E. Main Street; Suite 1402
Lexington, Kentucky 40507
(859) 254-0000 (office)
(859) 254-4763 (facsimile)
mmalone@hdmfirm.com
areedy@hdmfirm.com

Counsel for the Petitioner,
KENTUCKY COAL ASSOCIATION

CERTIFICATE OF SERVICE

I hereby certify that KCA's November 22, 2024 electronic filing is a true and accurate copy of KCA's pleading and Read 1st Document to be filed in paper medium; that the electronic filing has been transmitted to the Commission on November 22, 2024; that an original and one copy of the filing will not be delivered to the Commission based on pandemic orders; that there are currently no parties excused from participation by electronic service; and that, on November 22, 2024 electronic mail notification of the electronic filing is provided to all parties of record:

/s/Matt Malone

ATTORNEY FOR KCA