

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matters of:

ELECTRONIC APPLICATION OF KENTUCKY)	
UTILITIES COMPANY AND LOUISVILLE GAS)	
AND ELECTRIC COMPANY FOR)	CASE NO.
CERTIFICATES OF PUBLIC CONVENIENCE)	2025-00045
AND NECESSITY AND SITE COMPATIBILITY)	
CERTIFICATES)	

**SOUTHERN RENEWABLE ENERGY ASSOCIATION’S RESPONSES
TO THE JOINT DATA REQUESTS OF KENTUCKY UTILITIES COMPANY
AND LOUISVILLE GAS AND ELECTRIC COMPANY
PROPOUNDED TO SOUTHERN RENEWABLE ENERGY ASSOCIATION**

Comes now the Southern Renewable Energy Association (also “SREA”), by and through counsel, and, in accordance with the Public Service Commission’s Order dated May 29, 2025 respectfully files its Responses to the Joint Data Requests of Kentucky Utilities Company (“KU”) and Louisville Gas and Electric Company (“LG&E” collectively “Companies”) propounded to SREA and filed into the record of the instant case.

Respectfully submitted,

/s/ David E. Spenard

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NOTICE AND CERTIFICATION FOR FILING

Undersigned counsel provides notices that the electronic version of the paper has been submitted to the Commission by uploading it using the Commission's E-Filing System on this 3rd day of July 2025. Pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085 (Electronic Emergency Docket Related to the Novel Coronavirus COVID-19), the paper, in paper medium, is not required to be filed.

/s/ David E. Spenard

NOTICE CONCERNING SERVICE

The Commission has not yet excused any party from electronic filing procedures for this case.

/s/ David E. Spenard

**SOUTHERN RENEWABLE ENERGY ASSOCIATION
KY PSC CASE NO. 2025-00045
RESPONSE TO JOINT DATA REQUESTS OF KU AND LG&E**

1. [General: All Witnesses] In Excel spreadsheet or other format, with all formulas, columns and rows unprotected and fully accessible, please provide all workpapers and source documents not previously provided.

RESPONSE: Witness Smith

Benjamin W. Smith is the only witness on behalf of SREA. His testimony does not include any schedules prepared through use of an electronic spreadsheet. Source documents relied upon in support of his testimony are referenced in the testimony. In addition to the hyperlinks identified in the testimony, the following information concerns access to remaining source documents (other than those on file in the public records of the Kentucky Public Service Commission).

Footnotes 12 and 13

https://www.ncleg.gov/EnactedLegislation/Statutes/PDF/BySection/Chapter_62/GS_62-110.8.pdf

Footnote 14

<https://starw1.ncuc.gov/NCUC/ViewFile.aspx?Id=d2a72630-6104-4359-96ff-ab6229e7b1e0>

<https://starw1.ncuc.gov/NCUC/ViewFile.aspx?Id=d2a72630-6104-4359-96ff-ab6229e7b1e0>

Footnote 16

<https://starw1.ncuc.gov/NCUC/ViewFile.aspx?Id=7c9a5fc4-845f-448b-a2df-e02f7a89311d>

<https://starw1.ncuc.gov/NCUC/ViewFile.aspx?Id=7c9a5fc4-845f-448b-a2df-e02f7a89311d>

Footnote 17

<https://malegislature.gov/Bills/193/S2967>

Footnote 19

https://www.psc.state.md.us/wp-content/uploads/Order-No.-91495_-Order-on-MESP-Proceedings.pdf

Footnote 21

<https://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?MatterSeq=55960>

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2. [Witness: Benjamin W. Smith] Please provide a list of all prior testimony Mr. Smith has given in prior regulatory proceedings and a copy of or hyperlink to all such testimony.

RESPONSE: Witness Smith

The instant case is Mr. Smith's initial testimony in a regulatory proceeding.

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3. [Witness: Benjamin W. Smith] Please state which, if any, utility RFP's Mr. Smith has personally assisted in drafting, and please provide a copy of or hyperlink to all such RFPs.

RESPONSE: Witness Smith

Mr. Smith is a board-certified utilities law specialist in North Carolina and has been working in state-level regulation of electricity since 2017. In that time, Mr. Smith has, in his role as Regulatory Counsel for the North Carolina Sustainable Energy Association ("NCSEA"), Associate General Counsel for NCSEA, and in private practice for the law firm of Kilpatrick Townsend & Stockton LLP on behalf of his clients, repeatedly advocated for and provided comments to the North Carolina Utilities Commission ("NCUC") regarding best practices in utility procurement. This work, in part, led to the NCUC making determinations regarding the best practices for the Duke utilities to hold procurement.

This work includes:

- North Carolina Utilities Commission ("NCUC") Docket Nos. E-2, Sub 1159 & E-7, Sub 1156 on *Duke Energy Carolinas, LLC's and Duke Energy Progress, LLC's Petition for Approval of Competitive Procurement of Renewable Energy Program to Implement N.C. Gen. Stat. § 62-110.8*. The Competitive Procurement of Renewable Energy ("CPRE") dockets were the implementation dockets for the procurement required, by statute, to enable further solar and solar+storage development at the least cost to the benefit of North Carolina ratepayers.
 - Link to docket filings: <https://starw1.ncuc.gov/ncuc/page/docket-docs/PSC/DocketDetails.aspx?NET2022&DocketId=5fe1c339-8879-49ab-974d-c20c3cfeff42>.
 - [NCSEA Petition to Intervene](#) (Mr. Smith is a named attorney for NCSEA) and [Order Granting NCSEA Petition to Intervene](#)
 - NCSEA made approximately 10 substantive filings in the CPRE implementation dockets in which Mr. Smith was a contributor to the recommendations regarding the implementation of the CPRE including filings where Mr. Smith consulted in drafting comments or filings and where Mr. Smith is the undersigned attorney on behalf of NCSEA.
 - All NCSEA's filings made in those dockets prior to June 2022 either were drafted by Mr. Smith or included Mr. Smith's feedback and consultation
- NCUC Docket Nos. E-2, Sub 1297 & E-7, Sub 1268 on *Duke Energy Carolinas, LLC's and Duke Energy Progress, LLC's Petition for Authorization of 2022 Solar Procurement Program*. The 2022 Solar Procurement dockets were premised on

the requirement that 45% of new front-of-the-meter solar included in the Duke utilities' North Carolina statutorily required Carbon Plan filings be owned by third-party developers (and not the Duke utilities).

- Link to docket filings: <https://starw1.ncuc.gov/NCUC/page/docket-docs/PSC/DocketDetails.aspx?DocketId=83867350-1300-4f67-859d-6150c2db1a29>
- [NCSEA Petition to Intervene](#) and [Order Granting NCSEA Petition to Intervene](#)
- Mr. Smith specifically contributed to the [Initial Comments](#) and [Responsive Comments](#) of NCSEA

Additionally, in his role as outside counsel for Avangrid Renewables, LLC (later changed to Avangrid Power, LLC) and Environmental Defense Fund (“EDF”) in the 2022 and 2024 NCUC Carbon Plan Proceedings (which later incorporated the Duke Utilities Integrated Resource Plan proceedings). Mr. Smith has repeatedly prepared arguments in support of a competitive procurement of offshore wind facilities and is currently the outside counsel for Avangrid Power LLC in the NCUC Offshore Wind docket conducted to determine whether to procure an offshore wind energy area to be developed for the benefit of the North Carolina Duke Utilities’ ratepayers.

- Link to 2021-22 Carbon Plan Proceeding (NCUC Docket No. E-100, Sub 179): <https://starw1.ncuc.gov/NCUC/page/docket-docs/PSC/DocketDetails.aspx?DocketId=8d6cc88e-c26a-438d-9061-3dd2301b15f7>
- Link to 2023-2024 Carbon Plan/Integrated Resource Plan Proceeding (NCUC Docket No. E-100, Sub 190): <https://starw1.ncuc.gov/NCUC/page/docket-docs/PSC/DocketDetails.aspx?DocketId=7409648d-c9c2-4f42-8709-a0830971812d>
- Link to 2025 Offshore Wind Docket (NCUC Docket No. E-100, Sub 206): <https://starw1.ncuc.gov/NCUC/page/docket-docs/PSC/DocketDetails.aspx?DocketId=8bdfe8b4-f6ff-4561-92c4-428bbb7abe4b>

In sum, while Mr. Smith has not worked on behalf of a utility in drafting the materials for an RFP, Mr. Smith has repeatedly researched, analyzed, and advocated for best practices in utility procurements including, but not limited to, solar, solar+storage, and wind facilities.

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OF PUBLIC CONVENIENCE AND NECESSITY)	
AND SITE COMPATIBILITY CERTIFICATES)	

VERIFICATION BY

AFFIDAVIT

Comes the affiant, Benjamin W. Smith, and being duly sworn states that the foregoing responses were prepared by him and are, to the best of his information and belief, true and correct.

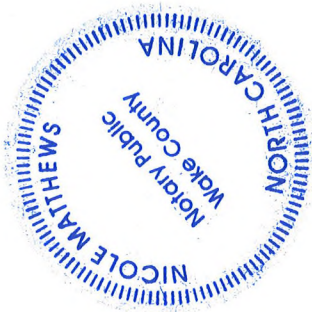


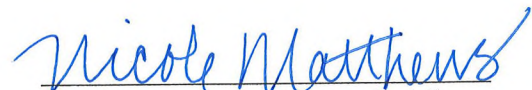
Benjamin W. Smith

State of North Carolina

County of Wake

Subscribed and sworn to me by the Affiant Benjamin W. Smith this 2nd day of July, 2025.





Nicole Matthews, Notary Public
My commission expires 1/12/2030