

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

In the matter of: _____ :

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

**RESPONSE OF THE KENTUCKY COAL ASSOCIATION, INC.
TO THE JOINT DATA REQUESTS
OF
KENTUCKY UTILITIES COMPANY
AND
LOUISVILLE GAS AND ELECTRIC COMPANY
DATED JUNE 23, 2025**

Filed: July 3, 2025

VERIFICATION

STATE OF NEW YORK)

COUNTY OF NEW YORK)

The undersigned, Emily Medine, being duly sworn, deposes and says that she is a Principal with the firm Energy Ventures Analysis, Inc., an energy consultancy, and an expert witness on behalf of the Kentucky Coal Association, Inc, in Case No. 2025-00045 before the Commission and that she has personal knowledge of the matters set forth in the foregoing responses for which she is a witness, and that the information and answers contained therein are true and correct to the best of her information, knowledge, and belief.

Emily Medine
Emily Medine

Subscribed and sworn to before me, a Notary Public in and before said County and State, this 03 day of July 2025.

[Signature]
Notary Public

Notary Public ID No. 01SH0022453

My Commission Expires:

03/18/2028

Nafiu Zahid Sholsob
Notary Public State of New York
01SH0022453
Qualified in Bronx County
Commission Expires March 18, 20 28

KENTUCKY COAL ASSOCIATION, INC.

**Response to Joint Data Requests of
Kentucky Utilities Company
and
Louisville Gas and Electric Company
Dated June 23, 2025**

Case No. 2025-00045

Request No. 1

Responding Witness: Emily Medine

Question No. 1. 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:

None.

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Request No. 2

Responding Witness: Emily Medine

Question No. 2. Attachment ESM-1 at page 2 (page 28 of the testimony) states, “Ms. Medine prepares analyses and testimony in support of clients involved in regulatory and legal proceedings. She provides testimony in commission hearings on fuel procurement issues and arbitration proceedings on contract disputes and damages. Ms. Medine regularly speaks at industry meetings.”

- a. Please provide a complete list of every engagement where Ms. Medine has prepared analyses and testimony in support of clients involved in regulatory and legal proceedings, including every case or docket, jurisdiction, name of the client she represented and a copy of the analysis or testimony.
- b. Please provide a complete list of each and every engagement where Ms. Medine has prepared testimony or analysis in connection with the representation of a coal company or coal industry association, including the scope of the engagement, the forum, if any, where Ms. Medine provided any testimony or analysis and a copy of any such testimony or analysis.
- c. Please provide a complete list of every occasion where Ms. Medine has spoken at industry meetings, including the date and location of the meeting, the name of the industry meeting and a copy of her presentation or remarks.

Response:

- a. Ms. Medine has worked for many parties in this area and does not have complete records. Ms. Medine attributes her success to being objective and agnostic as the technologies for power generation. The fact that she has defended existing coal assets comes down to economics, not an objection to natural gas. Ms. Medine is not the first analyst that has focused on utilities failing to focus on affordability rather than earnings.

With respect to these engagements, Ms. Medine does not have a complete record of all of her clients. However, below are recent engagements:

In West Virginia, Ms. Medine has primarily worked for the Consumer Advocate Division (CAD) of the West Virginia Public Service Commission (WVPSC) which is tasked with protecting Residential Customers. All of her filed non-confidential testimony can be found on the WVPSC website. <https://www.psc.state.wv.us/> To access, click on Case Information and then Activity. Put in the desired dates and then Activity Summary **contains** Medine. All testimony is listed.

In Indiana, Ms. Medine has worked with Indiana Coal Council and its successor Reliable Energy as consultant regarding the Integrated Resource Plans (IRPs). The easiest way for the Companies to receive information is to go to <https://www.in.gov/iurc/energy-division/electricity-industry/integrated-resource-plans>. This site has the final report prepared for the current IRP's by the IURC Director of Research and Planning. Along with the IRPs and the Director's Report, this site includes the comments filed by intervening parties, including the Indiana Coal Council and Reliable Energy. Note that there is a link that parties can click to review archived IRPs and reports. Ms. Medine has also filed testimony in several CPCN proceedings including two CPCN applications by CenterPoint Energy and one application for AES Indiana.

In Ohio, Ms. Medine's company was engaged in over forty (40) cases with the Public Utilities to perform Management/Performance and Financial Audits of the Fuel Adjustment Clause and Alternative Energy Riders.

b. As noted, Ms. Medine's records are incomplete. However, Ms. Medine has worked with the Pennsylvania Coal Association, Kentucky Coal Association, and the Indiana Coal Council/Reliable Energy. Ms. Medine has also been engaged directly with coal producers in coal contract disputes. These disputes are not in the public domain and associated reports are not public. Similarly, Ms. Medine has been engaged by the U.S. Department of Justice on two (2) coal contract-related disputes which are also not public.

c. As noted above, Ms. Medine's records are not complete. Eight (8) presentations are provided as examples of Ms. Medine's presentations. It should be noted that these are not all the speeches Ms. Medine has made; rather this is a sampling from the last ten (10) years or so. It should be noted that the content of the speeches needs to be considered at the time the speeches were delivered. It should also be noted Ms. Medine was appointed to the National Coal Association in 2016 and remained on the Council until it was disbanded in 2021.

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Request No. 3

Responding Witness: Emily Medine

Question No. 3. Please provide a complete copy of all testimony (including transcripts of live testimony), interviews, articles, publications, or any other public writings or statements of any kind in which Ms. Medine supported or advocated for any entity's construction or acquisition of any natural gas fired electric generating unit. If a transcript of relevant live testimony, an interview, or other public non-written statement is unavailable, please provide a link to where the video may be found. For each item provided (if any), please state whether Ms. Medine supported or advocated for the relevant entity's construction or acquisition of a natural gas fired electric generating unit to facilitate the retirement of, or in lieu of adding or acquiring, coal-fired generation.

Response: Ms. Medine's focus in interviews, articles, publications, etc. has generally been on why it is advantageous to customers to retain coal generation until the plant's economic retirement as coal plants typically have undepreciated capital which the utility's expect customers to pay. In other words, customers will continue to pay for retired coal as well as the cost of new gas. However, Ms. Medine has also worked with Midland Cogeneration Ventures related to continuing the IPP contract on the gas fired generation. PPL and other utilities have been very enthusiastic about the expected growth in earnings with the new gas plants. Their analyses are flawed as they do not sufficiently consider the volatility of the price of natural gas and the fact that power prices could rise if coal generation is not there to compete with natural gas. History has shown power prices fall when gas is available to compete with coal and rise when sufficient gas is not available. Further, there is a lack of analysis as to how power prices will increase if coal is unavailable to "steady the market." Finally, new natural gas-fired plants will have significant emissions of carbon equivalent emissions for the next forty (40) years according to the Companies which the utilities largely ignore focusing only on carbon emissions inside the fence. For these reasons, Ms. Medine does not believe she has advocated for the construction or acquisition of natural gas-fired plant. She has just explained the potential cost associated with it. The question which Ms. Medine discusses in her testimony is whether natural gas should be automatically assumed to be needed for growth including that from Data Centers.

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Request No. 4

Responding Witness: Emily Medine

Question No. 4. Assume a utility decides on January 1, 2026, to add a Small Modular Reactor to its generation fleet. Provide a timeline detailing all necessary steps from that date forward until the SMR would be in commercial operation. If the state in which this occurs matters, assume it is Kentucky.

Response: Ms. Medine believes the Companies have a misunderstanding on her position on SMRs. The technology is viable however in early stages of commercialization. She believes there is sufficient information as to why they should be considered. It is the utility's job to evaluate all generation options.

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Request No. 5

Responding Witness: Emily Medine

Question 5. Please see Ms. Medine’s testimony at page 2. Please provide a citation to the record supporting the statement, “The Companies acknowledged they will be challenged to meet the construction dates put forward in their IRP.”

Response:

The companies noted that the Mill Creek 6 NGCC and Brown 12 NGCC projects are large-scale undertakings with significant capital costs. These projects could face delays due to the complexity of permitting, supply chain constraints, and the need for long-term contracts with data center customers before construction begins. While the companies may not have explicitly stated that delays were certain they did factor in construction timelines and regulatory uncertainties in their planning documents.

And, there is ample public evidence that is the case.

As reported in a prior statement from Ms. Medine, John Ketchum, the CEO of NextEra Energy, said at the most recent CERA Week “(t)here is a lot of demand for gas turbines right now. You have to get in a long line. It has pushed the prices up ... we built our last gas-fired facility in 2022, at \$785/kW. If we wanted to build that same gas-fired combined cycle unit today ... \$2,400/kW.” Mr. Ketchum further said “not only are gas turbine costs shooting up, but the backlog of orders means that they are hard to come by in the near-term. On top of that, gas plants can take several years to build.”

“FirstEnergy and other utilities are warning that Trump administration tariffs on Canada, Mexico and other countries could hurt them, according to risk disclosures included in annual reports filed last month with the U.S. Securities and Exchange Commission ... The alerts on tariffs come as U.S. utilities have been expanding their capital expenditure plans to build transmission lines and power plants to meet rising demand growth, partly driven by data center development.”

“Any widespread imposition of new or increased tariffs could have an adverse effect on our results of operations, cash flow and financial condition,” on,” [FirstEnergy said in a Feb. 27 filing](#). “New or increased tariffs could also negatively affect U.S. national or regional economies, which also could negatively impact our business and results of operations.”