

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

IN THE MATTER OF

ELECTRONIC APPLICATION OF  
KENTUCKY UTILITIES COMPANY AND  
LOUISVILLE GAS AND ELECTRIC  
COMPANY FOR CERTIFICATES OF PUBLIC  
CONVENIENCE AND NECESSITY AND  
SITE COMPATIBILITY CERTIFICATES

Case No. 2025-00045

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**LOUISVILLE METRO AND LFUCG'S JOINT MOTION TO INTERVENE**

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Louisville/Jefferson County Metro Government (“Louisville Metro”) and Lexington-Fayette Urban County Government (“LFUCG”), by counsel, hereby move the Public Service Commission of Kentucky (“Commission”) pursuant to 807 KAR 5:001, Section 4(11) for an order granting intervention in the above-styled matter. In support of their motion, Louisville Metro and LFUCG state as follows:

Louisville Metro is a consolidated local government established under KRS Chapter 67C. Its address is 527 W. Jefferson Street, Louisville, KY 40202. LFUCG is an urban county government established under KRS Chapter 67A. Its address is 200 East Main Street, Lexington, KY 40507. As governmental entities, both Louisville Metro and LFUCG pay over \$10 million annually to Louisville Gas & Electric (“LG&E”) and Kentucky Utilities (“KU”)(collectively, “LGE/KU”) for electrical service.

The Commission has interpreted KRS 278.040(2) as requiring a person seeking intervention to have an interest in the rates or service of a utility as those are the only matters that are subject to the Commission's jurisdiction. See Order, *Kentucky Power Co.*, Case No. 2017- 00179 (Ky. PSC June 19, 2017). Louisville Metro and LFUCG satisfy this requirement because they are customers of LG&E and KU.

Administrative regulation 807 KAR 5:001, Section 4(11)(b) states:

The commission shall grant a person leave to intervene if the commission finds that he or she has made a timely motion for intervention and that he or she has a special interest in the case that is not otherwise adequately represented or that his or her 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.

Louisville Metro and LFUCG meet both these criteria.

Louisville Metro and LFUCG have a special interest in LGE/KU's application requesting approval for a Certificate of Public Convenience and Necessity related to the construction of (1) two approximately 645 megawatt ("MW") net summer rating natural gas combined cycle combustion turbine ("NGCC") facilities, (2) a 400 MW, 4-hour (1600 megawatt hour ("MWh")) lithium-ion battery energy storage system ("BESS") facility, and (3) a selective catalytic reduction ("SCR") facility, as well as approval of related site compatibility certificates.

The continuous, resilient operation of Louisville Metro and LFUCG is of significant public interest and depends heavily on a safe, adequate, and reliable electricity supply. The proposed investments in the instant matter may have significant implications for the safety, reliability, and adequacy of the electricity

system and will materially impact Louisville Metro's and LFUCG's ability to respond to high impact events in the future (e.g., extreme weather, natural disasters, terrorism, and/or man-made threats).

In addition, Louisville Metro has unique special interests in this matter. One of the NGCC facilities and the BESS facility is proposed to be constructed in Jefferson County. Additionally, a large portion of the increased power needs are in Jefferson County.

As one of LG&E's and KU's largest customers that take service under a variety of rate classifications (and most uniquely, street lighting), no other party could adequately represent the interests of Louisville Metro and LFUCG in this matter. The Commission's decision in this matter will undoubtedly have impacts in future rate cases. Moreover, both Louisville Metro and LFUCG have been active participants in stakeholder collaboratives conducted by LGE/KU to examine costs, as well as potential programs and policies.

Louisville Metro and LFUCG are also likely to present issues or develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings. This has been demonstrated in prior cases in which Louisville Metro and LFUCG were joint intervening parties. The Commission granted intervention to Louisville Metro and LFUCG in LGE/KU's prior case seeking construction of NGCC and BESS facilities, Case No. 2022-00402, as well as the utilities' two most recent base rate cases filed in 2018 and 2023. Louisville Metro and LFUCG sponsored expert testimony in these cases. Their productive

participation in these prior cases resulted in a more fully developed record that assisted the Commission in making its decision in those cases. In this particular case, Louisville Metro and LFUCG anticipate addressing issues and developing facts on several subject matters, including the scope of LGE/KU's proposed facilities and the related investment of capital.

Louisville Metro and LFUCG desire to play a constructive role in this matter and isolate issues that are most important to them. Louisville Metro and LFUCG's focus will serve to neither unduly complicate nor disrupt the proceeding. Louisville Metro and LFUCG believe that their prior involvement in other cases before the Commission demonstrate their productive standing in the process.

Attorneys for Louisville Metro and LFUCG listed below possess the facilities to receive electronic transmission of all notices and messages related to this proceeding at the electronic mailing addresses listed below. All correspondence to Louisville Metro and LFUCG should be sent to the attorneys' contact information listed below.

Accordingly, because Louisville Metro and LFUCG have a special interest in this case that is not otherwise adequately represented and because they are likely to present issues or develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings, Louisville Metro and LFUCG respectfully request intervention in this proceeding.

Respectfully submitted,  
STURGILL, TURNER, BARKER & MOLONEY, PLLC

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