

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC 2025 INTEGRATED RESOURCE PLAN ) CASE NO. 2025-00087  
OF EAST KENTUCKY POWER COOPERATIVE, INC. )

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**ATTORNEY GENERAL’S COMMENTS**

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The Attorney General of the Commonwealth of Kentucky, through his Office of Rate Intervention (“Attorney General”), submits the following comments regarding the East Kentucky Power Cooperative, Inc.’s (hereinafter “EKPC” or the “Company”) 2025 Integrated Resource Plan (“IRP”) in the above-styled matter.

**I. INTRODUCTION**

EKPC is a not-for-profit, member-owned generation and transmission cooperative located in Winchester, Kentucky.<sup>1</sup> Although EKPC does not directly serve any retail customers, the Company provides electricity to 16 owner-member distribution cooperatives<sup>2</sup> with more than 570,000 meters at homes, farms, and businesses in 89 Kentucky counties.<sup>3</sup> EKPC has a diverse mix of energy generation resources including coal, natural gas, landfill gas, solar, and hydroelectric power.<sup>4</sup> More specifically, EKPC owns and operates coal-fired generation at the John S. Cooper Station (“Cooper”) in Pulaski County (341 MW) and the Hugh L. Spurlock Station (“Spurlock”)

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<sup>1</sup> EKPC’s 2025 Integrated Resource Plan, page 1.

<sup>2</sup> Owner-member distribution cooperatives served by EKPC include the following: Big Sandy Rural Electric Cooperative (“RECC”), Blue Grass Energy Cooperative, Clark Energy Cooperative, Cumberland Valley Electric, Farmers RECC, Fleming-Mason Energy Cooperative, Grayson RECC, Inter-County Energy Cooperative, Jackson Energy Cooperative, Licking Valley RECC, Nolin RECC, Owen Electric Cooperative, Salt River Electric Cooperative, Shelby Energy Cooperative, South Kentucky RECC, and Taylor County RECC.

<sup>3</sup> EKPC’s 2025 Integrated Resource Plan, page 1.

<sup>4</sup> *Id.*, pages 1 – 2.

in Mason County (1,346 MW).<sup>5</sup> The Company owns and operates natural gas-fired generation at the J.K. Smith Station (“Smith”) in Clark County (753 MW summer rating/989 MW winter rating) and Bluegrass Generation Station (“Bluegrass”) in Oldham County (501 MW summer rating/567 MW winter rating).<sup>6</sup> EKPC also owns and operates landfill gas to energy facilities in the following Kentucky counties: Boone, Barren, Greenup, Hardin, and Pendleton (13.8 MW total).<sup>7</sup> The Company further owns a solar generation facility in Clark County (8.5 MW).<sup>8</sup> EKPC purchases a total of 170 MW of hydroelectric power from the Southeastern Power Administration (“SEPA”), which comes from the Laurel Dam (80 MW) and the Cumberland River system of dams (100 MW).<sup>9</sup> In total, EKPC owns and/or purchases 3,438 MW (winter rating) or 3,136 MW (summer rating) of generation.<sup>10</sup> EKPC also has 200 MWs of interruptible load and approximately 28 MWs in peak reduction mechanisms.<sup>11</sup> The Company operates within the PJM Interconnection, Inc. (“PJM”), which has more than 180,000 MW of generation and demand capacity.<sup>12</sup>

EKPC indicates that due to higher forecasted peak load requirements, in addition to the prior resources discussed, the Company included the following resources in the pending IRP, which the Commission has already granted the requested Certificates of Public Convenience and Necessity (“CPCNs”): new solar generation assets known as Cooperative Solar Fayette (40 MW), Cooperative Solar Marion (96 MW), and Star Hill Farms Solar (0.5 MW); the Liberty Reciprocating Internal Combustion Engines (“RICE”) (214 MW); Cooper Combined Cycle Gas

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<sup>5</sup> *Id.*, page 1.

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

<sup>7</sup> *Id.*, pages 1 – 2.

<sup>8</sup> *Id.*, page 2.

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*, page 5.

Turbine (“CCGT”) (745 MW); and, the natural gas co-fire conversion of EKPC’s existing coal-fired generating units including Spurlock Units 1 through 4 and Cooper Unit 2.<sup>13</sup>

In addition to the previously discussed generation resources, EKPC also included in the pending IRP an additional four solar farms (total of 321 MW of peak energy output) (80 MW summer capacity at 25% Effective Load Carrying Capability (“ELCC”), and 0 MW winter capacity), which were included in the Company’s application for federal funding, but the Company has not filed for CPCNs with the Commission as of yet.<sup>14</sup> EKPC also included a 300 MW energy-only hydroelectric purchased power agreement (“PPA”) as the contract is in negotiations with the counterparty.<sup>15</sup> EKPC also asserts that it expects to utilize PPAs to cover future winter needs as a hedge against energy price exposure between 2025 – 2030.<sup>16</sup>

## II. RELIABILITY AND AFFORDABILITY OF THE ELECTRIC GRID

The Commission’s stated mission, in part, is to foster the provision of *reliable* service at a *reasonable price* to the customers.<sup>17</sup> Further, Kentucky law requires that a utility’s IRP, “include the utility’s resource assessment and acquisition plan for providing an adequate and *reliable* supply of electricity to meet forecasted electricity requirements at the *lowest possible cost*.”<sup>18</sup> Therefore, the Attorney General respectfully requests the Commission afford considerable weight to ensuring the reliability of energy supply and the affordability of rates in any decision on EKPC’s pending IRP case.

The Attorney General continues to be concerned with both the reliability and affordability of the electric grid. Utilities across the country have been prematurely shuttering fossil fuel

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<sup>13</sup> *Id.*, page 13.

<sup>14</sup> *Id.*

<sup>15</sup> *Id.*

<sup>16</sup> *Id.*, page 14.

<sup>17</sup> See <https://psc.ky.gov/Home/About#AbtComm>; KRS 278.040; KRS 278.030 (emphasis added).

<sup>18</sup> 807 KAR 5:058, Section 8(1) (emphasis added).

baseload generation resources that provide continuous electricity for customers, and instead rapidly adopting renewable generation resources which, in the case of wind and solar, only provide intermittent electricity. These actions are creating serious reliability issues for the future of the electric grid and stranding costs of the prematurely closed fossil fuel generation resources, which are borne by ratepayers.

The intermittent nature of renewable resources such as wind and solar inherently carries reliability risks. Renewable generation cannot be dispatched when the sun is not shining, and the wind is not blowing.<sup>19</sup> Currently, cost-effective battery capacity for wind and solar generation does not exist.<sup>20</sup> As an example, EKPC asserts in response to discovery that a battery energy storage system (“BESS”) was not chosen as a resource in any of the top five plans by the Resource Optimizer due to the overall cost.<sup>21</sup> For a 4-hour, 400 MW capacity BESS, which would be enough capacity to discharge the battery for 200 MW per hour over two 4-hour periods, the total capital cost was modeled at \$824 million, or a staggering \$2,190/kW.<sup>22</sup> Thus, as more and more dispatchable baseload generation plants fueled by coal and natural gas are prematurely shuttered and replaced by non-dispatchable intermittent generation, the reliability of the electric grid significantly decreases.<sup>23</sup> Additionally, Kentucky’s climate is not adequate for wind or solar capacity to make rapid adoption of renewable resources cost-effective for utility ratepayers.

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<sup>19</sup> EKPC’s response to the Attorney General’s First Request for Information (“Attorney General’s First Request”), Items 1(c) – (d).

<sup>20</sup> EKPC’s response to the Attorney General’s Second Request for Information (“Attorney General’s Second Request”), Item 5.

<sup>21</sup> *Id.*

<sup>22</sup> *Id.*

<sup>23</sup> Even in states that embrace the rush to renewable generation, such as New York, the New York Independent System Operator’s (“NYISO”) recent report continues to raise the alarm about the electric grid becoming less reliable due to fossil-fueled generation being retired in response to decarbonization goals and emissions regulations. *See* 2025 Power Trends, The New York ISO Annual Grid and Markets Report, accessible at: <https://www.nyiso.com/documents/20142/2223020/2025-Power-Trends.pdf/51517a1b-36fa-4f3d-d44d-eabe23598514?t=1749138890547>.

In the pending IRP case, EKPC appears to share the Attorney General’s reliability concerns with the electric grid. EKPC asserts that it is, “concerned about [the] future reliability of the interconnected electric system and believes that conventional generation resources will continue to be required to facilitate the transition to renewable and low/no carbon emitting resources.”<sup>24</sup> EKPC further states that conventional generation resources will be required to maintain the reliability of the grid.<sup>25</sup> The conventional generation EKPC refers to as being required to maintain reliability is fossil fuel generation (*e.g.*, coal, natural gas, and oil), as well as nuclear generation.<sup>26</sup> The Company states that on May 14, 2025, the North American Electric Reliability Corporation (“NERC”), issued a 2025 Summer Reliability Assessment echoing prior concerns with potential grid reliability risks stemming from higher demand, plant retirements, and a less flexible generation resource mix.<sup>27</sup> In this 2025 NERC assessment, several regions were at risk of electricity supply shortfalls during periods of more extreme summer weather, including New England, parts of the Midwest, the Southwest Power Pool, and Texas for June – September 2025.<sup>28</sup> The Company further points to PJM’s 2025 Summer Outlook, which indicated that although it was forecasting sufficient generation for typical peak demand, it was preparing to call on contracted demand response resources to reduce electricity use under more extreme scenarios.<sup>29</sup> In fact, EKPC states that the Federal Energy Regulatory Commission (“FERC”) issued a press release referencing both NERC’s and PJM’s assessments, and that the FERC Chairman at the time, Mark Christie, emphasized that PJM’s announcement was significant in that it represented the first time

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<sup>24</sup> EKPC’s 2025 Integrated Resource Plan, page 2.

<sup>25</sup> *Id.*

<sup>26</sup> *Id.*; EKPC’s response to the Attorney General’s First Request, Items 1(c) – (d).

<sup>27</sup> EKPC’s response to the Attorney General’s First Request, Items 1(a) – (b).

<sup>28</sup> *Id.*; See [https://www.nerc.com/pa/RAPA/ra/Reliability%20Assessments%20DL/NERC\\_SRA\\_2025.pdf](https://www.nerc.com/pa/RAPA/ra/Reliability%20Assessments%20DL/NERC_SRA_2025.pdf).

<sup>29</sup> EKPC’s response to the Attorney General’s First Request, Items 1(a) – (b); See <https://insidelines.pjm.com/pjm-summer-outlook-2025-adequate-resources-available-for-summer-amid-growing-risk/>.

PJM expected to rely upon demand response to manage summer operations.<sup>30</sup> The FERC also issued a 2025 Summer Energy Market and Electric Reliability Assessment, and detailed that margins are getting tighter, in part due to the retirements of dispatchable generation capacity.<sup>31</sup> The prior FERC Chairman, Mark Christie, stated that, “[w]e are losing dispatchable generation at a pace that is not sustainable and we are not adding sufficient equivalent generation capacity.”<sup>32</sup> In the face of a potential electric grid reliability crisis, EKPC wisely affirms in the pending IRP that it does not plan to prematurely retire fossil fuel generation plants as they are necessary to provide reliable and competitively priced electric service to the customers.<sup>33</sup>

In addition to the reliability of the electric grid, the Attorney General also continues to be concerned with electric rates becoming more and more unaffordable. EKPC’s mission statement used to assert, in part, that the Company delivers reliable and *affordable* energy, but now states, in part, that the Company delivers reliable, *cost-competitive*, and sustainable energy.<sup>34</sup> It is a concerning sign of the times we currently find ourselves in that EKPC’s Board of Directors voted to change the Company’s mission statement to replace the word “affordable” with “cost-competitive.”<sup>35</sup> EKPC states in response to discovery that, “[t]he cost of electricity is not going to go down and will in fact continue to rise across the nation. The Board believes that remaining competitive with other electricity suppliers means EKPC is doing the best it can to mitigate the cost increases to the benefit of its Owner-Members, making their costs as affordable as possible.”<sup>36</sup> Yet, too many Kentuckians are already struggling to make ends meet, so it is of the utmost

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<sup>30</sup> EKPC’s response to the Attorney General’s First Request, Items 1(a) – (b).

<sup>31</sup> See <https://www.ferc.gov/news-events/news/ferc-releases-2025-summer-assessment>.

<sup>32</sup> *Id.*

<sup>33</sup> EKPC’s response to the Attorney General’s First Request, Items 5, 25, and 26.

<sup>34</sup> *Id.*, 3(a); See <https://www.ekpc.coop/our-mission-values>.

<sup>35</sup> EKPC’s response to the Attorney General’s First Request, Items 3(a), 5, 25, and 26.

<sup>36</sup> EKPC’s response to the Attorney General’s Second Request, Item 6(a).

importance for EKPC to continue focusing on delivering not only *reliable*, but also *affordable* energy to its customers.

### III. FEDERAL LEGISLATION AND EXECUTIVE ACTION

The federal regulatory landscape for the pending IRP has drastically changed and improved since EKPC's prior 2022 IRP due to a new presidential administration. As an example, EKPC's President and CEO, Anthony "Tony" Campbell, issued a March 31, 2025 letter to President Trump.<sup>37</sup> In the letter, Mr. Campbell states that he had previously written seven letters to President Biden<sup>38</sup> expressing his views on the increasingly alarming impact that government regulations were having on the cost and reliability of America's energy supply, but received no meaningful response.<sup>39</sup> Mr. Campbell further asserted that the Biden Administration's regulations targeted reliable fossil fuel power plants for premature retirement, forcing unnecessary costs on consumers and jeopardizing reliability.<sup>40</sup> Mr. Campbell stated that when the EPA, "imposed this onslaught of new regulations, it was branded 'unlawful, unrealistic and unachievable' by Jim Matheson, who leads the National Rural Electric Cooperative Association [“NRECA”].”<sup>41</sup> Mr. Campbell opined that he agreed with this assertion whole-heartedly, and testified to that effect before the FERC in 2023, but these concerns unfortunately, “fell on deaf ears.”<sup>42</sup>

In response to his March 31, 2025 letter, Mr. Campbell was invited to speak at the White House on behalf of the NRECA during President Trump's signing of several executive actions related to the nation's electric-generating industry.<sup>43</sup> In fact, since President Trump took office for his second term on January 20, 2025, he has issued approximately nine executive orders to unleash

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<sup>37</sup> See [https://ekpc.coop/sites/default/files/Reliability/2025-03-31%20Letter\\_TCampbell\\_to\\_PresidentTrump.pdf](https://ekpc.coop/sites/default/files/Reliability/2025-03-31%20Letter_TCampbell_to_PresidentTrump.pdf)

<sup>38</sup> See <https://ekpc.coop/defending-reliability>.

<sup>39</sup> See [https://ekpc.coop/sites/default/files/Reliability/2025-03-31%20Letter\\_TCampbell\\_to\\_PresidentTrump.pdf](https://ekpc.coop/sites/default/files/Reliability/2025-03-31%20Letter_TCampbell_to_PresidentTrump.pdf)

<sup>40</sup> *Id.*

<sup>41</sup> *Id.*

<sup>42</sup> *Id.*

<sup>43</sup> EKPC's response to the Attorney General's First Request, Item 9.

American energy, strengthen the reliability of the electric grid, as well as to reduce electricity costs.<sup>44</sup> Additionally, the United States Environmental Protection Agency (“EPA”), has proposed historic rollbacks of a multitude of prohibitive and costly regulations, that if repealed, should reduce the economic burden on the energy sector, and thereby reduce rates to customers.<sup>45</sup>

Further, on July 4, 2025, the One Big Beautiful Bill Act was signed into law, which repealed or phased out the inaptly named Inflation Reduction Act’s (“IRA”) renewable energy subsidies.<sup>46</sup> President Trump then issued the July 7, 2025 Executive Order entitled Ending Market Distorting Subsidies for Unreliable, Foreign Controlled Energy Sources.<sup>47</sup> This July 7, 2025 Executive Order asserts in part that, “[i]t is the policy of the United States to (a) rapidly eliminate the market distortions and costs on taxpayers by so-called ‘green’ energy subsidies; (b) build upon and strengthen the repeal of, and modifications to, wind, solar, and other ‘green’ energy tax credits in the One Big Beautiful Bill Act; and (c) end taxpayer support for unaffordable and unreliable ‘green’ energy sources and supply chains built in, and controlled by, foreign adversaries.” EKPC asserts that, “in essence, the Trump Administration is a reversal in philosophy of the former

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<sup>44</sup><https://www.whitehouse.gov/presidential-actions/2025/01/unleashing-american-energy/>; <https://www.whitehouse.gov/presidential-actions/2025/02/establishing-the-national-energy-dominance-council/>; <https://www.whitehouse.gov/presidential-actions/2025/04/reinvigorating-americas-beautiful-clean-coal-industry-and-amending-executive-order-14241/>; <https://www.whitehouse.gov/presidential-actions/2025/04/protecting-american-energy-from-state-overreach/>; <https://www.whitehouse.gov/presidential-actions/2025/04/regulatory-relief-for-certain-stationary-sources-to-promote-american-energy/>; <https://www.whitehouse.gov/presidential-actions/2025/04/strengthening-the-reliability-and-security-of-the-united-states-electric-grid/>; <https://www.whitehouse.gov/presidential-actions/2025/04/directing-the-repeal-of-unlawful-regulations/>; <https://www.whitehouse.gov/presidential-actions/2025/04/zero-based-regulatory-budgeting-to-unleash-american-energy/>; <https://www.whitehouse.gov/presidential-actions/2025/07/ending-market-distorting-subsidies-for-unreliable-foreign-controlled-energy-sources/>.

<sup>45</sup>See <https://www.epa.gov/regulations-emissions-vehicles-and-engines/proposed-rule-reconsideration-2009-endangerment-finding#rule-summary>; See EKPC’s response to the Attorney General’s Second Request, Items 10(a) – (b).

<sup>46</sup> See CONGRESS.GOV, H.R.1 – One Big Beautiful Bill Act, <https://www.congress.gov/bill/119th-congress/house-bill/1/text>.

<sup>47</sup> See <https://www.whitehouse.gov/presidential-actions/2025/07/ending-market-distorting-subsidies-for-unreliable-foreign-controlled-energy-sources/>.



administration towards fossil fueled power plants, dropping the climate pressures to decarbonize the electric generating fleet in the U.S.”<sup>48</sup>

Fortunately in the pending IRP case, the Company confirms that it has no plans to prematurely close its valuable dispatchable fossil fuel generation resources, which are the backbone in maintaining reliable and affordable electric generation for its customers.<sup>49</sup> Fossil fuel generation is designed to provide large amounts of energy within seconds of load demands changing, with tremendous swings in the amount of energy needed minute by minute. The generation resources that can follow this type of load demand pattern, and quickly ramp up to higher generation levels, are fossil fuel generation resources. The Company states that, “[c]oal, natural-gas with dual fuel backup, and nuclear resource are fuel-secure, meaning the fuel necessary to dispatch the asset is available via on-site storage. This provides a significant reliability advantage over resources without access to on-site fuel storage.”

The Attorney General agrees with EKPC in that dispatchable fossil fuel generation ensures affordable and reliable energy that is essential for Kentuckians. The Attorney General appreciates EKPC’s commitment to continue the economic operation of its fossil fuel generation resources in order to secure electric reliability and affordability for its customers in the present as well as in the future. This is especially true when advocating and including fossil fuel generation in the IRP can be met with contempt and criticism.

With that said, the Attorney General encourages EKPC to reassess the multitude of intermittent, proposed solar farm projects to ensure that the customers’ funds will be prudently spent. As aforementioned, on July 4, 2025, the One Big Beautiful Bill Act was signed into law,

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<sup>48</sup> EKPC’s response to the Attorney General’s Second Request, Item 10(a).

<sup>49</sup> EKPC’s response to the Attorney General’s First Request, Items 5, 25, and 26.

which repealed or phased out the IRA renewable energy subsidies.<sup>50</sup> Due to the One Big Beautiful Bill being recently passed, the Company's pending IRP does not take into account any potential loss of federal funding subsidies for the proposed solar projects.<sup>51</sup> EKPC admits that without subsidies, it is the Company's experience that solar projects of this scale, are not cost-competitive when compared to highly efficient thermal resources such as CCGTs.<sup>52</sup> Thus, EKPC should reassess whether the proposed solar farms will receive subsidies or not, and analyze whether with reduced or no subsidies, the projects still represent the least-cost generation resource. A reassessment of the proposed solar projects is needed not only to determine the potential cost impacts of the recently passed law and executive orders, but also because solar farms cannot provide reliable and continuous energy to the electric grid as fossil fuel generation plants provide. Before proceeding with the potential solar plants, EKPC should also consider the ever-present threat of inverter tripping issues that have affected the Company, and which has not been fully resolved.<sup>53</sup>

Based upon the foregoing, the Attorney General requests that EKPC continue to review the One Big Beautiful Bill, as well as President Trump's multitude of executive orders on energy, and only proceed with projects that will result in a reliable and affordable electric grid for its customers.

#### **IV. CONCERN WITH POTENTIAL OVERRELIANCE ON PJM**

In EKPC's 2025 IRP, page 192, Table 8-10, it appears to indicate that EKPC is forecasting increased energy requirements, but the increased generation will not be sufficient to serve the

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<sup>50</sup> See CONGRESS.GOV, H.R.1 – One Big Beautiful Bill Act, <https://www.congress.gov/bill/119th-congress/house-bill/1/text>.

<sup>51</sup> EKPC's response to the Attorney General's Second Request, Items 7(a), (b), (c), and (d).

<sup>52</sup> *Id.*, Items 4(a) and 7(a) and (d).

<sup>53</sup> *Id.*, Item 33.

Company's native load.<sup>54</sup> Based upon Table 8-10, EKPC's energy requirements are forecasted to increase from 15,356 GWh in 2025 to 18,447 GWh in 2039.<sup>55</sup> However, during that same period EKPC is only forecasting in the Company's total energy generation production to increase from 8,683 GWh in 2025 to 12,686 GWh in 2039.<sup>56</sup> Even when including the forecasted purchased energy with the forecasted total energy generation produced by EKPC there is still a significant gap of energy supply versus energy requirements.<sup>57</sup> In fact, according to Table 8-10, by 2039 EKPC is forecasting a shortage of 5,504 GWh of energy when compared to its forecasted energy requirements of 18,447 GWh.<sup>58</sup> This is an issue that the Attorney General intends to further explore at the hearing on January 13, 2026.

The Attorney General is concerned that lower forecasted generation than the forecasted energy requirements will cause EKPC to overly rely on PJM for purchased energy. For the past few years the market energy prices at PJM have continued to rise,<sup>59</sup> with the most recent PJM auction capacity prices hitting yet another record-high of \$329.17/MW-day price cap.<sup>60</sup> This represents a 22% increase from a year ago for most of the PJM footprint.<sup>61</sup> Even more disturbing is that without the price cap, the recent PJM capacity price is estimated to have been approximately \$389/MW-day.<sup>62</sup> Additionally, EKPC and PJM share responsibility for transmission system planning,<sup>63</sup> so the transmission costs can be higher as a PJM member than as a stand-alone

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<sup>54</sup> EKPC's 2025 Integrated Resource Plan, page 192.

<sup>55</sup> *Id.*

<sup>56</sup> *Id.*

<sup>57</sup> *Id.*

<sup>58</sup> *Id.*

<sup>59</sup> See EKPC's 2025 Integrated Resource Plan, page 12.

<sup>60</sup> See <https://www.utilitydive.com/news/pjm-interconnection-capacity-auction-prices/753798/>.

<sup>61</sup> *Id.*

<sup>62</sup> *Id.*

<sup>63</sup> EKPC's 2025 Integrated Resource Plan, page 130.

transmission planning entity.<sup>64</sup> According to the Company, this is due to the differences in PJM planning criteria that are more stringent when compared to EKPC planning criteria.<sup>65</sup>

The Attorney General recognizes that EKPC's participation in PJM has thus far been beneficial to EKPC's members – and still may be for the foreseeable future.<sup>66</sup> However, given the current predicaments in PJM which is driven by the volatility of the markets, board member elections, and implementation of renewable energy policies advocated by certain member states, the Attorney General urges EKPC to remain vigilant toward both an overreliance on PJM as well as continued participation. When PJM applies politics and stops applying engineering principals and market fundamentals to ensure the wholesale energy market functions properly, as appears to be the case for the last several years, then it is time for Kentucky utilities to reevaluate their participation in PJM.

Based upon the previously discussed issues and the future uncertainty concerning the reliability and affordability of the electric grid, the Attorney General cautions EKPC of becoming overly reliant upon PJM for its future energy needs. Moreover, the Attorney General agrees with the Commission in that regulated utilities in Kentucky should not rely on wholesale energy markets, such as PJM, for capacity and energy.<sup>67</sup> The Attorney General also agrees with the Commission's consistent direction for utilities, including for EKPC, to have "steel in the ground" sufficient to meet normal operating requirements<sup>68</sup> in order for Kentuckians to have better control over the reliability of their own electric grid as well as energy costs.

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<sup>64</sup> EKPC's response to the Attorney General's First Request, Item 34.

<sup>65</sup> *Id.*

<sup>66</sup> See EKPC's response to the Attorney General's Second Request, Item 13.

<sup>67</sup> EKPC's 2025 Integrated Resource Plan, page 12.

<sup>68</sup> *Id.*, page 9.

## V. CONCLUSION

The Attorney General agrees with EKPC in that the only way to continue to have a reliable and affordable electric grid is the continued use of dispatchable fossil fuel generation for the foreseeable future. Therefore, the Attorney General respectfully requests the Commission afford considerable weight to ensuring the reliability of energy supply and the affordability of rates in any decision on EKPC's pending IRP case.

Respectfully submitted,

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ATTORNEY GENERAL



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**Certificate of Service and Filing**

Pursuant to the Commission's Orders and in accord with all other applicable law, Counsel certifies that the foregoing electronic filing was transmitted to the Commission on September 11, 2025, and there are currently no parties that the Commission has excused from participation by electronic means in this proceeding.

This 11<sup>th</sup> day of September, 2025,



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Assistant Attorney General