

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

In the Matter of:

ELECTRONIC APPLICATION OF KENTUCKY )  
UTILITIES COMPANY FOR AN ADJUSTMENT OF )  
ITS ELECTRIC AND GAS RATES AND ) CASE NO. 2025-00113  
APPROVAL OF CERTAIN REGULATORY AND )  
ACCOUNTING TREATMENTS )

In the Matter of:

ELECTRONIC APPLICATION OF LOUISVILLE )  
GAS AND ELECTRIC COMPANY FOR AN )  
ADJUSTMENT OF ITS ELECTRIC AND GAS ) CASE NO. 2025-00114  
RATES AND APPROVAL OF CERTAIN )  
REGULATORY AND ACCOUNTING )  
TREATMENTS )

**REHEARING REQUESTS FOR INFORMATION OF JOINT INTERVENORS  
KENTUCKIANS FOR THE COMMONWEALTH, KENTUCKY SOLAR ENERGY  
SOCIETY, MOUNTAIN ASSOCIATION, AND METROPOLITAN HOUSING  
COALITION TO LOUISVILLE GAS & ELECTRIC COMPANY AND KENTUCKY  
UTILITIES COMPANY**

Jacob Elkin  
Shannon Fisk  
*Pro Hac Vice - not admitted in Kentucky*  
Earthjustice  
48 Wall St 15th Floor  
New York, NY 10005  
[jelkin@earthjustice.org](mailto:jelkin@earthjustice.org)  
[sfisk@earthjustice.org](mailto:sfisk@earthjustice.org)

Byron L. Gary  
Tom "Fitz" FitzGerald  
Ashley Wilmes  
Kentucky Resources Council  
P.O. Box 1070  
Frankfort, Kentucky 40602  
(502) 875-2428  
[Byron@kyrc.org](mailto:Byron@kyrc.org)  
[fitzkrc@aol.com](mailto:fitzkrc@aol.com)  
[Ashley@kyrc.org](mailto:Ashley@kyrc.org)

*Counsel for Joint Intervenors Kentuckians  
for the Commonwealth, Kentucky Solar  
Energy Society, Metropolitan Housing  
Coalition and Mountain Association*

Dated: April 10, 2026

## DEFINITIONS

1. "Document" means the original and all copies (regardless of origin and whether or not including additional writing thereon or attached thereto) of any memoranda, reports, books, manuals, instructions, directives, records, forms, notes, letters, or notices, in whatever form, stored or contained in or on whatever medium, including digital media.
2. "Study" means any written, recorded, transcribed, taped, filmed, or graphic matter, however produced or reproduced, either formally or informally, a particular issue or situation, in whatever detail, whether or not the consideration of the issue or situation is in a preliminary stage, and whether or not the consideration was discontinued prior to completion.
3. "Person" means any natural person, corporation, professional corporation, partnership, association, joint venture, proprietorship, firm, or the other business enterprise or legal entity.
4. A request to identify a natural person means to state his or her full name and business address, and last known position and business affiliation at the time in question.
5. A request to identify a document means to state the date or dates, author or originator, subject matter, all addressees and recipients, type of document (e.g., letter, memorandum, telegram, chart, etc.), identifying number, and its present location and custodian. If any such document was but is no longer in the Company's possession or subject to its control, state what disposition was made of it and why it was so disposed.
6. A request to identify a person other than a natural person means to state its full name, the address of its principal office, and the type of entity.
7. "And" and "or" should be considered to be both conjunctive and disjunctive, unless specifically stated otherwise.
8. "Each" and "any" should be considered to be both singular and plural, unless specifically stated otherwise.
9. Words in the past tense should be considered to include the present, and words in the present tense include the past, unless specifically stated otherwise.

10. “You” or “your” means the person whose filed testimony is the subject of these data requests and, to the extent relevant and necessary to provide full and complete answers to any request, “you” or “your” may be deemed to include any other person with information relevant to any interrogatory who is or was employed by or otherwise associated with the witness or who assisted, in any way, in the preparation of the witness’ testimony.
11. “Companies” means, collectively, Kentucky Utilities Company and Louisville Gas & Electric Company, and their parents or subsidiaries, and/or any of their officers, directors, employees or agents who may have knowledge of the particular matter addressed, and affiliated companies including member cooperatives.
12. “Kentucky Utilities Company” or “KU” means Kentucky Utilities Company, and its parents or subsidiaries, and/or any of its officers, directors, employees or agents who may have knowledge of the particular matter addressed, and affiliated companies including member cooperatives.
13. “Louisville Gas & Electric Company” or “LG&E” means Louisville Gas & Electric Company, and its parents or subsidiaries, and/or any of its officers, directors, employees or agents who may have knowledge of the particular matter addressed, and affiliated companies including member cooperatives.
14. “Joint Intervenors” means Kentuckians for the Commonwealth, Kentucky Solar Energy Society, Mountain Association, and Metropolitan Housing Coalition, and Metropolitan Housing Coalition, who have been moved for the status of full intervention as joint intervenors in this matter.
15. Unless otherwise specified in each individual request the term “tariff” means the tariff as filed in this matter by LG&E and KU.
16. “Commission” or “PSC” means the Kentucky Public Service Commission, including its Commissioners, personnel, and offices.
17. “DER” means Distributed Energy Resource.
18. “DPV” means Distributed Solar Photovoltaics.
19. “DR” means Demand Response.
20. “EHLF” means Extremely High Load Factor.
21. “ELCC” means Effective Load Carrying Capacity.

22. "FERC" means Federal Energy Regulatory Commission.

23. "MVA" means Megavolt-Ampere.

24. "MW" means Megawatt.

## INSTRUCTIONS

1. If any matter is evidenced by, referenced to, reflected by, represented by, or recorded in any document, please identify and produce for discovery and inspection each such document.
2. These requests for information are continuing in nature, and information which the responding party later becomes aware of, or has access to, and which is responsive to any request is to be made available to Joint Intervenors. Any studies, documents, or other subject matter not yet completed that will be relied upon during the course of this case should be so identified and provided as soon as they are completed. The Respondent is obliged to change, supplement and correct all answers to interrogatories to conform to available information, including such information as it first becomes available to the Respondent after the answers hereto are served.
3. Unless otherwise expressly provided, each data request should be construed independently and not with reference to any other interrogatory herein for purpose of limitation.
4. The answers provided should first restate the question asked and also identify the person(s) supplying the information.
5. Please answer each designated part of each information request separately. If you do not have complete information with respect to any interrogatory, so state and give as much information as you do have with respect to the matter inquired about and identify each person whom you believe may have additional information with respect thereto.
6. In the case of multiple witnesses, each interrogatory should be considered to apply to each witness who will testify to the information requested. Where copies of testimony, transcripts, or depositions are requested, each witness should respond individually to the information request.
7. Wherever the response to a request consists of a statement that the requested information is already available to Joint Intervenors, please provide a detailed citation to the document that contains the information. This citation shall include the title of the document, relevant page number(s), and, to the extent possible, paragraph number(s) and/or chart/table/figure number(s).

8. If you claim a privilege including, but not limited to, the attorney-client privilege or the work product doctrine, as grounds for not fully and completely responding to any discovery request, please describe the basis for your claim of privilege in sufficient detail so as to permit Joint Intervenors or the Commission to evaluate the validity of the claim. With respect to documents for which a privilege is claimed, please produce a "privilege log" that identifies the author, recipient, date, and subject matter of the documents or interrogatory answers for which you are asserting a claim of privilege and any other information pertinent to the claim that would enable Joint Intervenors or the Commission to evaluate the validity of such claims.
9. Whenever the documents responsive to a discovery request consist of modeling files (including inputs or output) and/or workpapers, the files and workpapers should be provided in machine-readable electronic format (e.g., Microsoft Excel), with all formulas and cell references intact.
10. The interrogatories are to be answered under oath by the witness(es) responsible for the answer.

**INITIAL REHEARING REQUESTS PROPOUNDED TO**  
**LOUISVILLE GAS & ELECTRIC COMPANY AND**  
**KENTUCKY UTILITIES COMPANY BY JOINT**  
**INTERVENORS**

Joint Intervenors hereby tender the following supplemental requests for information to the Company:

- 5.1. Please reconcile the Companies' statement on page 6 of their Joint Reply in Support of their Petition for Reconsideration ("Even if the costs are later included in rate base, the carrying costs—which are substantial for generation projects—will never be recovered") with the Commissions' approval of Allowance for Funds Used During Construction and regulatory asset treatment in Case No. 2022-00402.
- 5.2. If the Companies are aware of the Commission previously approving a guaranteed level of Return on Equity for any utilities, please identify the docket and date on which such approval was made.
- 5.3. Please refer to the Companies' Petition for Reconsideration page 18 n. 48 ("Actual stay-open costs incurred through February 5, 2026 are approximately \$7.5 million) and provide verifiable accounting of LG&E's actual stay-open costs for Mill Creek 2 prior to February 5, 2026, or identify where in the record supports such a figure. Please also reconcile this figure with LG&E's Response to Staff PH-5, in which LG&E estimated \$3,807,068 in O&M and a roughly \$2.7 million increase in plant in service, translating into a roughly \$3.75 million revenue requirement for Mill Creek 2 over the July 2025 to February 2026 timeframe.<sup>1</sup>
- 5.4. Please refer to the Companies' Joint Reply, page 6 ("Clearly, spending \$3.5 billion outside of generation expenditures will 'likely' result in underearning") and provide any forecast or analysis supporting such a claim, with and without the Pilot Generation Recovery rider, along with any forecast or analysis of the Return on Equity the Companies anticipate earning through August 1, 2028, with and without the Pilot Generation Recovery rider.
- 5.5. Please refer to the Direct Testimony of Dylan W. D'Ascendis, pages 67-68, and produce the referenced Brattle Group study and peer-reviewed article in Energy Policy.

[Signature on next page]

---

<sup>1</sup> LG&E Response to Staff PH-5, Attachment 1 ("MC2 LGE (Monthly)" tab, line 16); see also LG&E Supp. Test., Ex. 5 (Oct. 31, 2025) (estimated MC2 cost recovery; tab "MC2 LGE", line 16).

Respectfully Submitted,



Jacob Elkin  
Shannon Fisk  
*Pro Hac Vice - not admitted in Kentucky*  
Earthjustice  
48 Wall St 15th Floor  
New York, NY 10005  
[jelkin@earthjustice.org](mailto:jelkin@earthjustice.org)  
[sfisk@earthjustice.org](mailto:sfisk@earthjustice.org)

Byron L. Gary  
Tom "Fitz" FitzGerald  
Ashley Wilmes  
Kentucky Resources Council  
P.O. Box 1070  
Frankfort, Kentucky 40602  
(502) 875-2428  
[Byron@kyrc.org](mailto:Byron@kyrc.org)  
[fitzkrc@aol.com](mailto:fitzkrc@aol.com)  
[Ashley@kyrc.org](mailto:Ashley@kyrc.org)

*Counsel for Joint Intervenors Kentuckians  
for the Commonwealth, Kentucky Solar  
Energy Society, Metropolitan Housing  
Coalition and Mountain Association*

### **CERTIFICATE OF SERVICE**

In accordance with the Commission's July 22, 2021 Order in Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19*, this is to certify that the electronic filing was submitted to the Commission on April 10, 2026; that the documents in this electronic filing are a true representation of the materials prepared for the filing; and that the Commission has not excused any party from electronic filing procedures for this case at this time.



---

Byron L. Gary