

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

In the Matter of:

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

**THIRD REQUESTS FOR INFORMATION OF JOINT INTERVENORS
KENTUCKIANS FOR THE COMMONWEALTH, KENTUCKY SOLAR
ENERGY SOCIETY, AND MOUNTAIN ASSOCIATION TO KENTUCKY
UTILITIES COMPANY**

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

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

Dated: September 12, 2025

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. “Company”, “Kentucky Utilities Company”, or “KU”, means Kentucky Utilities Company, their 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.
12. “Joint Intervenors” means Kentuckians for the Commonwealth, Kentucky Solar Energy Society, and Mountain Association who have been moved for the status of full intervention as joint intervenors in this matter.
13. Unless otherwise specified in each individual request the term “tariff” means the tariff as filed in this matter by KU.
14. “Commission” or “PSC” means the Kentucky Public Service Commission, including its Commissioners, personnel, and offices.
15. “DER” means Distributed Energy Resource.
16. “DPV” means Distributed Solar Photovoltaics.
17. “DR” means Demand Response.
18. “EHLF” means Extremely High Load Factor.
19. “ELCC” means Effective Load Carrying Capacity.
20. “FERC” means Federal Energy Regulatory Commission.
21. “MVA” means Megavolt-Ampere.
22. “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.

**THIRD DATA REQUESTS PROPOUNDED TO KENTUCKY
UTILITIES COMPANY BY JOINT INTERVENORS**

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

- 3.1. Please refer to Stipulation Testimony Exhibit 1 in Case No. 2025-00045 (July 29, 2025), page 7. Reconcile the Companies' proposed Rate EHLF eligibility thresholds of 100 MVA and 85% load factor with the Stipulation's definition of "Eligible Data Center," which includes facilities with expected or actual peak demand between 50 MVA and 100 MVA and expected or actual monthly load factor of 75% or greater. Please include in the Companies' response its explanation for why Rate EHLF should not apply to all data centers that the Stipulation would deem "Eligible" for purposes of Mill Creek 6 cost recovery.
- 3.2. Have the Companies forecasted how many prospective data center customers are 100 MW (and larger), and how many are likely to be 50 MW – 99 MW in size? If so, explain the results of that analysis and produce any documentation of the same.
- 3.3. Have the Companies reviewed overall national and worldwide projections for data center growth, and compared them against data centers actually being built to determine a ratio of proposed to actual growth? If so, explain the results of that review and produce any documentation of the same. If not, explain why not.
- 3.4. Have the Companies compared data center projections to forecasted chip production capacity to meet data center demands? If chip production capacity is limited, how does that limit potential data center growth?
- 3.5. Have the Companies analyzed whether any existing commercial or industrial customers would be eligible for EHLF tariff? If yes, what did the Companies find? If not, why not?
- 3.6. Did the Companies evaluate including in the EHLF tariff any provisions to encourage load flexibility from EHLF customers? If so, explain why no such terms were included in the tariff. If not, explain why not.
- 3.7. Have the Companies evaluated the potential for using single-point metering for co-location data center facilities rather than metering individual building business tenants? What progress have the Companies made in response to the PSC

directive¹ in developing plans for utilizing and optimizing DERs in sync with in situ DPV and without in situ DPV ?

- 3.8. What analyses have the Companies conducted to determine the potential for DER to be used to optimize existing and future grid resources?
- 3.9. Have the Companies reviewed DR programs in other utility jurisdictions to determine suitability for their jurisdictions? If yes, what did the Companies find? If yes, did the Companies evaluate DR potentials for both winter and summer peaks? If not, why not?
- 3.10. Have the Companies analyzed the financial impacts for DPV owners of using different true-up methods? In particular, have the Companies compared monthly versus instantaneous true-up to determine the difference between methods?
- 3.11. Please elaborate on the Companies' method for calculating the ELCC used for solar generation resources.
 - a. Did the Companies calculate ELCC based on customer load or metered load?
 - b. Did the Companies calculate ELCC based on individual projects or portfolio of projects?
 - c. Does the Commission have guidance on ELCC calculation method? If yes, did the Companies follow that guidance? If not, why not?
- 3.12. Please provide transmission rate filings with FERC for the last 5 years along with the associated FERC decisions. Please provide copies of these documents rather than simply refer to the FERC website.

¹ Final Orders, *In the Matters of Electronic Application of Kentucky Utilities Company and Louisville Gas & Electric Company for an Adjustment of Its Electric and Gas Rates, a Certificate of Public Convenience and Necessity to Deploy Advanced Metering Infrastructure, Approval of Certain Regulatory and Accounting Treatments, and Establishment of a One-Year Surcredit*, Case No. 2020-00349 at 2 (Sept. 24, 2021) and Case No. 2020-00350 Sept. 24, 2021 Final Order at 2: "The Commission also found that additional information regarding advanced distribution management solutions (ADMS) and Distributed Energy Resource Management Systems (DERMS) was necessary because of LG&E/KU's plans to spend significant amounts on ADMS and DERMS to address potential issues with a dynamic distribution system, such as voltage regulation, even though the penetration of such resources on LG&E/KU's system is miniscule and there are other, more affordable alternatives to ADMS and DERMS."

- 3.13. Please provide the last 5 years of FERC Form 1 filings through 2024. FERC no longer publishes these in a readily readable format and does not include filings older than 2021.

[Signature on next page]

Respectfully Submitted,



Byron L. Gary

Tom "Fitz" FitzGerald

Ashley Wilmes

Kentucky Resources Council

P.O. Box 1070

Frankfort, Kentucky 40602

(502) 875-2428

Byron@kyrc.org

fitzkrc@aol.com

Ashley@kyrc.org

*Counsel for Joint Intervenors
Kentuckians for the Commonwealth,
Kentucky Solar Energy Society, 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 September 12, 2025; 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