

**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 CERTAIN REGULATORY AND ACCOUNTING TREATMENTS	:	CASE NO. 2025-00113
IN THE MATTER OF: ELECTRONIC APPLICATION OF LOUISVILLE GAS & ELECTRIC COMPANY FOR AN ADJUSTMENT OF ITS ELECTRIC AND GAS RATES AND APPROVAL OF CERTAIN REGULATORY AND ACCOUNTING TREATMENTS	:	CASE NO. 2025-00114

REHEARING BRIEF OF THE KROGER CO.

INTRODUCTION

On March 11, 2026, Kentucky Utilities Company and Louisville Gas & Electric Company filed a Joint Petition for Reconsideration of the Commission’s February 16, 2026 Orders. The Kroger Co. submits this Brief in support of the Stipulation, or alternatively, approval of the Sharing Mechanism Adjustment Clause (“SMAC”) conditioned on a 2.5-year base rate case stay-out.

ARGUMENT

1. The Commission Should Approve the Stipulation as Negotiated or, Alternatively, Approve the SMAC with the Agreed Stay-Out.

As a signatory to the October 20, 2025 Stipulation, Kroger maintains that the Commission should approve the Stipulation in its entirety. If the Commission instead elects to approve only the SMAC on rehearing, that approval should be conditioned on reinstatement of the parties’ agreement that no new base rates become effective before August 1, 2028. The SMAC and the stay-out provision were negotiated as complementary components of a single compromise, with

each providing consideration for the other. Accordingly, preserving the balance of the parties' agreement requires that the SMAC not be adopted apart from the corresponding stay-out commitment.

Respectfully submitted,

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