

**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)	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)	

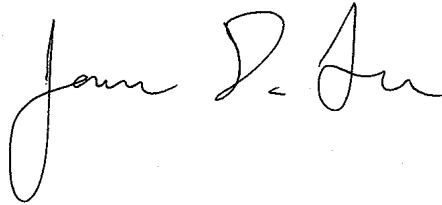
**RESPONSES OF JOINT INTERVENORS KENTUCKIANS
FOR THE COMMONWEALTH, KENTUCKY SOLAR
ENERGY SOCIETY, METROPOLITAN HOUSING
COALITION, AND MOUNTAIN ASSOCIATION TO
KENTUCKY SOLAR INDUSTRIES ASSOCIATION, INC.
REQUEST FOR INFORMATION
[DATED SEPTEMBER 12, 2025]**

Dated: September 23, 2025

VERIFICATION

The undersigned, James David Fine, being first duly sworn, deposes and says that he has personal knowledge of the matters set forth in the foregoing testimony and that the information contained therein is true and correct to the best of his information, knowledge, and belief, after reasonable inquiry.

__James David Fine__

A handwritten signature in black ink, appearing to read "James D. Fine", written over a horizontal line.

Subscribed and sworn to before me by James David Fine this 23rd day of September, 2025.

James Anthony Mason

Notary Public

My commission expires: 08/08/2029

DESCRIPTION OF ATTACHED DOCUMENT

Title or Type of Document: Jurat

Document Date: 09/23/2025

Number of Pages (including notarial certificate): 2

State of Texas

County of Fort Bend



James Anthony Mason

ID NUMBER

133150597

COMMISSION EXPIRES

August 8, 2029

Sworn to and subscribed before me

on 09/23/2025 by James David Fine.

James Anthony Mason

Electronically signed and notarized online using the Proof platform.

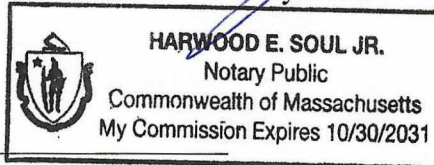
VERIFICATION

The undersigned, ROGER COLTON being first duly sworn, deposes and says that its has personal knowledge of the matters set forth in the foregoing documents and that the information contained therein is true and correct to the best of its information, knowledge, and belief, after reasonable inquiry.

RC

Subscribed and sworn to before me by ROGER COLTON this 23 day of SEPTEMBER 2025.

Harwood E. Soul Jr.
Notary Public



My commission expires: _____

**JOINT INTERVENORS KENTUCKIANS FOR THE
COMMONWEALTH, KENTUCKY SOLAR ENERGY
SOCIETY, METROPOLITAN HOUSING COALITION AND
MOUNTAIN ASSOCIATION**

**RESPONSE TO KYSEIA'S FIRST REQUEST FOR
INFORMATION**

Dated September 11, 2025

**Case No. 2025-00113 &
Case No. 2025-00114**

Question No. 1.1

Q-1.1 Reference: James Fine Testimony, page 23, line 18 to page 24, line 1 and page 29, lines 15 through 17. Please explain if the use of ELCC is a common practice in states with which the witness is familiar.

A-1.1 RESPONSE:

Yes, the use of effective load carrying capacity ("ELCC") is a common practice. PJM uses ELCC, and by the transitive principle, so, too, do Kentucky Power Company, East Kentucky Power Cooperative (and its distribution coops), and Duke Energy Kentucky.¹ By extension, all PJM states implicitly use ELCC. California has used ELCC for more than a decade now in valuing all resources.²

MISO is also using ELCC for calculation (and by extension all associated MISO states).³

WITNESS: James Fine

¹ See, e.g., PJM, *Effective Load Carrying Capability Measures Capacity Contribution of All Resources*, <https://www.pjm.com/-/media/DotCom/about-pjm/newsroom/fact-sheets/elcc-measures-capacity-contribution-of-renewable-and-storage-resources.pdf>.

² California ISO, *Effective Load Carrying Capability (ELCC) Study Results for Demand Response (DR) Resources* (Jun. 24, 2021), available at <https://www.caiso.com/Documents/Presentation-ELCCStudyResults-DemandResponseResources-Jun24-2021.pdf>.

³ MISO, *Planning Year 2024-2025 Wind and Solar Capacity Credit Report* (Mar. 2024), available at <https://cdn.misoenergy.org/Wind%20and%20Solar%20Capacity%20Credit%20Report%20PY%202024-2025632351.pdf>.

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**RESPONSE TO COMMISSION KYSEIA'S FIRST
REQUEST FOR INFORMATION
Dated September 11, 2025**

**Case No. 2025-00113 &
Case No. 2025-00114**

Question No. 1.2

Q-1.2 Reference: James Fine Testimony, page 23, lines 3 through 6. Please elaborate on the importance of “consistency across filings” and why the lack of consistency should “raise a red flag for the Commission” in this context.

A-1.2 RESPONSE:

There is a long list of distributed photovoltaic (“DPV”) tariff proceedings around the country over the past decade. A good summary can be found in the Lawrence Berkeley National Laboratory report, *A Review of Value of Solar Studies In Theory and In Practice*.⁴

In the present 2025 case, LG&E-KU proposed an outlier position regarding the value of DPV that deviates significantly from Commission precedent.⁵ The outlier position is enough to raise a “red flag” – an indicator that there is an inconsistent and potentially erroneous position. Therefore, it is incumbent on the utility to explain why they are deviating from their previous position, from industry norms, and failing to follow the direction of the Commission. More to the point, the utility appears to not be engaging honestly with the Commission, as evidenced by their request for \$3.7 billion in a recent CPCN,⁶ and before that case is even settled, claiming that

⁴ Sydney P. Forrester & Eric O’Shaughnessy, *A Review of Value of Solar Studies In Theory and In Practice*, Lawrence Berkeley Nat’l Lab’y (Jan. 2025).

⁵ Case No. 2020-00349, *Electronic Application of Kentucky Utilities Company for an Adjustment of Its Electric 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* and Case No. 2020-00350, *Electronic Application of Louisville Gas and 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*, Order at 47-58 (Sep. 24, 2021).

⁶ Case No. 2025-000045, *Electronic Application of Kentucky Utilities Company and Louisville Gas and Electric Company for Certificates of Public Convenience and Necessity and Site Compatibility Certificates*, Joint Application at 12 (Feb. 28, 2025).

DPV offers zero avoided capacity cost. The "red flag" is to caution the Commission to read LGE-KU filings with skepticism, to not accept their claims at face value, and to insist on well-supported evidence.

The interests of ratepayers would not be addressed if the Commission chooses to adopt the current LG&E-KU arguments that massively devalue DPV.

WITNESS: James Fine

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**RESPONSE TO COMMISSION KYSEIA'S FIRST
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**Case No. 2025-00113 &
Case No. 2025-00114**

Question No. 1.3

Q-1.3 Reference: Roger D. Colton Testimony, page 86, line 7 through page 92, line 3.

- a. Please elaborate and explain whether the barriers to low-income household participation in rooftop solar, electric vehicle charging, or other energy efficiency opportunities are exclusively financial barriers or whether there are separate barriers beyond purely financial considerations that could be addressed by the recommendations provided.
- b. Please explain whether these non-financial barriers such as a utility customer lacking “the dominion interest” (at 87:4-5) are discriminatory against utility customers who face such barriers if those barriers effectively prevent these customers from participation in utility programs or tariffs that are available to other customers.

A-1.3 RESPONSE:

- a. Not all of the market barriers identified by Mr. Colton are “exclusively financial barriers.” There would be “separate barriers,” beyond the “purely financial considerations” (in the words of the question), which “separate barriers beyond purely financial considerations” were not addressed in Mr. Colton’s testimony. One common barrier to energy efficiency investments in low-income households, for example, involve health and safety considerations which would need to be addressed before efficiency investments could be made. Moreover, as former Chair of his local municipal government’s community solarization program (Belmont Goes Solar) (see, Exhibit RDC-1), Mr. Colton learned that one common barrier to rooftop solar investments aside from financial considerations is the capacity of the rooftop to sustain a rooftop solar installation. While devoting additional funding to roof repair/replacement (for solar installations) or to health and safety measures (for energy efficiency investments) could

help address these additional barriers, these barriers cannot be divorced from the financial barriers (e.g., a low-income tenant would not have the dominion interest to authorize roof repair or replacement any more than they would have dominion interest to authorize repair or replacement of a major electricity or heating system).

- b. Mr. Colton has not undertaken an analysis of, did not present any discussion in his testimony of, and has taken no position regarding, the extent to which, if at all, investments in measures such as electric vehicle charging infrastructure, rooftop solar installations, or energy efficiency investments would be “discriminatory against utility customers who face such barriers if those barriers effectively prevent these customers from participation in utility programs or tariffs that are available to other customers.” Mr. Colton’s testimony instead discussed how investments in solar infrastructure and energy efficiency serve multiple utility-related purposes, including reducing utility costs associated with unaffordability, along with serving utility-related objectives such as optimum resource planning (along with the cost implications of engaging in such optimum resource planning).

WITNESS: Roger Colton