

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the matters of:

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

AND

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

**SIERRA CLUB’S SECOND REQUEST FOR INFORMATION
TO KENTUCKY UTILITIES COMPANY AND
LOUISVILLE GAS AND ELECTRIC COMPANY**

Sierra Club hereby submits this Second Request for Information to Kentucky Utilities Company (“KU”) and Louisville Gas and Electric Company (“LG&E”), collectively referred to as “LG&E/KU” or the “Companies”. Please provide responses to these data requests below to the undersigned counsel.

GENERAL INSTRUCTIONS

1) Definitions: For the purposes of these data requests, the following definitions shall apply:

- a) The term “LG&E /KU” means and includes Louisville Gas and Electric Company and Kentucky Utilities Company and any and all affiliates and/or subsidiaries, successors, predecessors, agents, consultants, and witnesses in this proceeding, and any and all of their affiliates, subsidiaries, or predecessors.

- b) The term “Companies” and “Company” means and includes Louisville Gas and Electric Company and Kentucky Utilities Company and any and all affiliates and/or subsidiaries, successors, predecessors, agents, consultants, and witnesses in this proceeding, and any and all of their affiliates, subsidiaries, or predecessors.
- c) “Document” means all written, recorded or graphic matters, however produced or reproduced, pertaining in any manner to the subject of this proceeding, whether or not now in existence, without limiting the generality of the foregoing, all originals, copies and drafts of all writings, correspondence, telegrams, notes or sound recordings of any type of personal or telephone communication, or of meetings or conferences, minutes of directors or committee meetings, memoranda, inter-office communications, studies, analyses, reports, results of investigations, reviews, contracts, agreements, working papers, statistical records, ledgers, books of account, vouchers, bank checks, x-ray prints, photographs, films, videotapes, invoices, receipts, computer printouts or other products of computers, computer files, stenographer’s notebooks, desk calendars, appointment books, diaries, or other papers or objects similar to any of the foregoing, however denominated. If a document has been prepared in several copies, or additional copies have been made, and the copies are not identical (or which, by reasons of subsequent modification of a copy by the addition of notations, or other modifications, are no longer identical) each non-identical copy is a separate “document.”
- d) “And” or “or” shall be construed conjunctively or disjunctively as necessary to make the requests inclusive rather than exclusive.
- e) The terms “you” and “your” refer to “LG&E/KU.”
- f) The term “person” means any natural person, corporation, corporate division, partnership, limited liability company, other unincorporated association, trust, government agency, or entity.
- g) The term “regarding” means consisting of, containing, mentioning, suggesting, reflecting, concerning, regarding, summarizing, analyzing, discussing, involving, dealing with, emanating from, directed at, pertaining to in any way, or in any way logically or factually connected or associated with the matter discussed.
- h) The singular as used herein shall include the plural and the masculine gender shall include the feminine and the neuter.
- i) “Identify” or “identifying” or “identification” when used in reference to a person that is a natural person means to state: the full name of the person and any names under which he conducts business; the current employer of the person, the person’s job title and classification, the present or last known work address of the person; and, the present or last known telephone number of the person.
- j) “Identify” or “identifying” or “identification” when used in reference to a person other than a natural person means to state: the full name of the person and any

names under which it conducts business; the present or last known address of the person; and, the present or last known telephone number of the person.

- k) “Identify” or “identifying” or “identification” when used in reference to a document means to provide with respect to each document requested to be identified by these discovery requests a description of the document that is sufficient for purposes of a request to produce or a subpoena duces tecum, including the following:
 - (a) the type of document (e.g., letter, memorandum, etc.);
 - (b) the date of the document;
 - (c) the title or label of the document;
 - (d) the Bates stamp number or other identifier used to number the document for use in litigation;
 - (e) the identity of the originator;
 - (f) the identity of each person to whom it was sent;
 - (g) the identity of each person to whom a copy or copies were sent;
 - (h) a summary of the contents of the document;
 - (i) the name and last known address of each person who presently has possession, custody or control of the document; and,
 - (j) if any such document was, but is no longer, in your possession, custody or control or is no longer in existence, state whether it: (1) is missing or lost; (2) has been destroyed; or (3) has been transferred voluntarily or involuntarily, and if so, state the circumstances surrounding the authorization for each such disposition and the date of such disposition.
- l) “Identify” or “identifying” or “identification” when used in reference to communications means to state the date of the communication, whether the communication was written or oral, the identity of all parties and witnesses to the communication, the substance of what was said and/or transpired and, if written, identify the document(s) containing or referring to the communication.
- m) “Current” when used in reference to time means in the present time of this data request.
- n) “Customer” means a person or company (residential, commercial, or industrial) who buys retail electricity on a regular and ongoing basis from LG&E/KU.
- o) “Workpapers” are defined as original, electronic, machine-readable, unlocked, Excel format (where possible) with formulas in-tact.

OTHER INSTRUCTIONS

- a) Responses are to be provided in electronic format (e.g., text documents should be in the original word processor file format or PDF, data files should be in Excel).
- b) If you contend that any response to any data request may be withheld under the attorney-client privilege, the attorney work product doctrine or any other privilege 4 or basis, please state the following with respect to each such response in order to

explain the basis for the claim of privilege and to permit adjudication of the propriety of that claim: 1) The privilege asserted and its basis; 2) The nature of the information withheld; and, 3) The subject matter of the document, except to the extent that you claim it is privileged.

- c) For any document or set of documents LG&E/KU objects to providing to Sierra Club on the grounds it is burdensome or voluminous, please identify the specific document (see instruction (k) above).
- d) These data requests are to be answered with reference to all information in your possession, custody or control or reasonably available to you. These data requests are intended to include requests for information, which is physically within your possession, custody or control as well as in the possession, custody or control of your agents, attorneys, or other third parties from which such documents may be obtained.
- e) If any data request cannot be responded to or answered in full, answer to the extent possible and specify the reasons for your inability to answer fully.
- f) These data requests are continuing in nature and require supplemental responses should information unknown to you at the time you serve your responses to these data requests subsequently become known.
- g) For each response, identify all persons (see instruction (j)) that were involved in the preparation of the answers to the interrogatories below and/or are responsible for compiling and providing the information contained in each answer.
- h) Identify which witness(es) at the hearing is competent to adopt and/or discuss the response.
- i) Please produce the requested documents in electronic format to the following individuals:

Joe Childers, Joe@jchilderslaw.com
Nathaniel Shoaff, nathaniel.shoaff@sierraclub.org
- j) Wherever the response to an interrogatory or request consists of a statement that the requested information is already available to the Sierra Club, 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).
- k) In the event that any document referred to in response to any request for information has been destroyed, specify the date and the manner of such destruction, the reason for such destruction, the person authorizing the destruction and the custodian of the document at the time of its destruction.

- l) Sierra Club reserves the right to serve supplemental, revised, or additional discovery requests as permitted in this proceeding.

REQUESTS FOR INFORMATION

- 2-1. Refer to the Direct Testimony of Mr. Hornung, page 5 at lines 1-2 with respect to proposed rate EHLF. Have the Companies developed a proposed rate sheet (e.g. Rates, Terms, and Conditions for Furnishing Electric Service) or similar for proposed rate EHLF? If so, please provide the proposed rate sheet. If not, when will the Companies seek Commission approval of the specific terms of proposed rate EHLF?
- 2-2. Refer to the Direct Testimony of Mr. Hornung, page 4 at lines 9-16 with respect to proposed rate EHLF.
 - (a) Please explain how the Companies arrived at a 100 MVA threshold for customers that would take service under Rate EHLF. Provide any workpapers or evidence that 100 MVA is a reasonable threshold for this customer class.
 - (b) Please explain how the Companies arrived at an 85 percent average monthly load factor threshold for customers that would take service under Rate EHLF. Provide any workpapers or evidence that an 85 percent average monthly load factor is a reasonable threshold for this customer class.
 - (c) Does proposed Rate EHLF sufficiently provide for the recovery of accelerated costs to "acquire additional generation resources to supply [customers with large demands] needs" without imposing cost shift to incumbent customers. Provide any evidence or workpapers to support the response to this question.
- 2-3. Refer to the Companies' response to Walmart Discovery Set 1, Q-8(b) with respect to proposed rate EHLF ("Q: For customers with multiple locations within the Companies' service territory, will the Companies aggregate the customers' load to satisfy the 100 MVA threshold? A: No.").
 - (a) Please clarify if the Company would seek to exclude from EHLF potentially eligible customers who develop multiple facilities in proximity, but connected through separate meters. For example, if a customer sought to develop four 25 MW data centers as a "campus" but connected through separate meters, would they be rendered ineligible for EHLF?
 - (b) Please explain the Companies' reasoning for excluding customers that may exceed the EHLF thresholds in aggregate.

2-4. Refer to the Direct Testimony of Mr. Hornung, page 5 at 11-13 ("Having a single demand charge ensures these extremely high load factor customers pay their full and fair share of demand-related transmission and generation costs.")

- (a) Please explain how a "single demand charge ensures that ... extremely high load factor customers pay their full and fair share ..."
- (b) Is it the Company's assertion that a demand charge unto itself is sufficient to ensure that EHLF customers are paying their full and fair share, or that appropriate rate allocation mechanisms ensure that EHLF customers pay their full and fair share?
- (c) If EHLF is approved, are the Companies proposing to maintain 6-CP (six month coincident peak) as their primary allocator for production- and transmission-related expenses? If so, please explain why in the Companies view, 6-CP remains relevant for high load factor customers under rate EHLF.
- (d) Have the Companies produced a cost of service study or any assessments that incorporate prospective customers taking service under EHLF? If so, please provide such studies or assessments in their original form, and any memoranda or communications assessing the outcome of such studies. If not, why not?
- (e) Have the Companies assessed how demand allocators other than 6-CP would change projected costs for other customer classes or EHLF customers, or if 6-CP results in cost shifting between customer classes? If so, please provide these assessments. If not, why not?
- (f) Please explain if the Company expects to allocate resources built for or because of EHLF customers to those customers or EHLF class, or use traditional rate allocation mechanisms. Specifically, please discuss line extension costs and substations, network upgrade or transmission costs, and new generation costs.

2-5. Refer to the Direct Testimony of Mr. Hornung, page 4 at 9-13.

- (a) Are the Companies aware that numerous "customers with large demands and very high load factors" have expressed public interest in acquiring or contracting for significant renewable energy with host utilities? If so, what provisions are the Companies proposing to accommodate those customers' interests, if any?
- (b) Please provide an updated assessment of the queue for potential EHLF customers, referring to Companies response in docket 2025-00045 (CPCN) to Attorney General 1.33(a), (file "15-AG-KIUC_DR1_LGE_KU_Attach_to_Q33(a) - _03.31.25_C4_Project_Tracking.xlsx")
- (c) Amongst the Company's prospective EHLF customers, are any in the set of industry-parlance "hyperscalers" (commonly known to include Amazon, Apple, Google, Meta, and Microsoft)

Dated: July 31, 2025

Respectfully submitted,

/s/ Joe F. Childers

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CERTIFICATE OF SERVICE

This is to certify that the foregoing copy of Sierra Club's Second Request for Information to LG&E/KU in this action is being electronically transmitted to the Commission on July 31, 2025, and that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding.

/s/ Joe F. Childers
JOE F. CHILDERS