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March 19, 2010

*Via Hand-Delivery*

Mr. Jeff Derouen, Executive Director  
Kentucky Public Service Commission  
211 Sower Boulevard  
Frankfort, Kentucky 40602

RE: *Case No. 2009-00548*

Dear Mr. Derouen:

Please find enclosed the original and twelve (12) copies of the Kentucky School Boards Association's motion to intervene and data requests to Kentucky Utilities filed in this matter. By copy of this letter, all parties listed on the Certificate of Service have been served.

Please place the document of file.

Regards,



Matthew Malone

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COMMISSION

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the matter of: : CASE NO. 2009-00548

THE APPLICATION OF KENTUCKY UTILITIES:  
COMPANY FOR A GENERAL ADJUSTMENT :  
IN BASE RATES :

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**KENTUCKY SCHOOL BOARDS ASSOCIATION'S MOTION TO INTERVENE**

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Comes Kentucky School Boards Association ("KSBA") pursuant to 807 KAR 5:001 Section 3(8), by counsel, and moves that it be granted leave to intervene in this matter and that it be granted full intervention. In support of this Motion, KSBA states as follows:

KSBA is a nonprofit corporation of school boards from each public school district in Kentucky. KSBA serves school board members and school districts in such areas including but not limited to energy policy. KSBA is governed by a 27-member board of directors made up of representatives elected as regional chairpersons or as directors-at-large. With nearly 900 school board members, KSBA is the largest organization of elected officials in Kentucky.

KSBA has involvement with energy initiatives with its representative school boards and electric service and other energy costs represent a significant cost of representative school district budgets.

In this matter the Commission is in the process of examining the request of Kentucky Utilities Company for a general adjustment in electric base rates and significant changing in its pricing structure. Approval of this application would have a significant impact on KSBA's school board districts and their budgets. KSBA represents all of the public school boards within Kentucky Utility Company's service territory. As such, KSBA has a special interest in this proceeding and KSBA's interests are not adequately represented by the other parties to this proceeding. KSBA will present issues and develop facts that will be helpful to the Commission

in fully hearing this matter, and participation by KSBA will not unduly delay these proceedings, or unduly complicate or disrupt them. Furthermore, having reviewed the procedural schedule in this matter, KSBA also attaches and incorporates its data requests to Kentucky Utilities with this motion in the event the Commission grants its motion to intervene.

**Wherefore**, KSBA respectfully requests that it be granted full intervenor status in the above captioned proceeding.

Respectfully submitted,



---

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William H. May, II.  
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The Equus Building  
127 West Main Street  
Lexington, Kentucky 40507  
(859) 254-0000 (office)  
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Counsel for the Petitioner,  
**KENTUCKY SCHOOL BOARDS ASSOCIATION**

**CERTIFICATE OF SERVICE**

I hereby certify that an original and twelve (12) copies of this Motion to Intervene were served via hand-delivery upon Jeff Derouen, Executive Director, Public Service Commission, 211 Sower Boulevard, Frankfort, Kentucky 40602-0615; furthermore, it was served by mailing a copy by first class U.S. Mail, postage prepaid, on the following, all on this 19 day of March, 2010.

Hon. David C. Brown  
Stites & Harbison, PLLC  
1800 Providian Center  
400 West Market Street  
Louisville, Kentucky 40202

Hon. Michael L. Kurtz  
Boehm, Kurtz & Lowry  
36 East Seventh Street  
Suite 1510  
Cincinnati, OH 45202

Hon. Dennis G. Howard, II  
Hon. Lawrence W. Cook  
Assistant Attorney General  
Office of the Attorney General  
Utility and Rate Intervention Division  
1024 Capital Center Drive, Suite 200  
Frankfort, Kentucky 40601-8204

Hon. Iris G. Skidmore  
Bates & Skidmore  
415 W. Main Street, Suite 2  
Frankfort, Kentucky 40601

Hon. Allyson K. Sturgeon  
Senior Corporate Attorney  
E.ON U.S. LLC  
220 W. Main Street  
Louisville, KY 40202

Hon. Lonnie E. Bellar  
E.ON U.S. LLC  
220 West Main Street  
Louisville, Kentucky 40202

Hon. Robert M. Watt, III  
Stoll Keenon Ogden, PLLC  
300 W Vine Street  
Suite 2100  
Lexington, KY 40507-1801

Hon. Gardner F. Gillespie  
Hogan & Hartson, LLP  
555 Thirteenth Street, N.W.  
Washington, D.C. 20004-1109

Hon. Frank F. Chuppe  
Wyatt, Tarrant & Combs, LLP  
500 W. Jefferson Street  
Suite 2800  
Louisville, Kentucky 40202

Hon. Kendrick R. Riggs  
Stoll Keenon Ogden, PLLC  
2000 PNC Plaza  
500 W. Jefferson Street  
Louisville, KY 40202

A handwritten signature in black ink, appearing to read "W. Keith V. Lane", is written above a horizontal line.

ATTORNEY FOR KSBA

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COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

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In the matter of: : CASE NO. 2009-00548

THE APPLICATION OF KENTUCKY UTILITIES:  
COMPANY FOR A GENERAL ADJUSTMENT :  
IN BASE RATES :

**KENTUCKY SCHOOL BOARDS ASSOCIATION'S DATA REQUESTS**

Comes now the intervenor, Kentucky School Boards Association ("KSBA"), and hereby propounds the following requests for information upon Kentucky Utilities Company ("KU") to be answered by those officers, employees or agents of KU as may be cognizant of the requested information and who are authorized to answer on behalf of KU. These requests are propounded on a continuing basis so as to require you to submit supplemental answers and/or documents should additional information become known that would have been includable in your answers and document production had they been known or available, or should information and/or documents supplied in the answers or production prove to be incorrect or incomplete. KSBA reserves the right to propound additional requests for information as and if additional information is required.

Additional Instructions

A. Each request for information shall be accorded a separate answer on a separate piece of paper, and each subpart thereof shall be accorded a separate answer. Each request or subpart thereof shall be specifically admitted or denied, and information inquiries or subparts thereof should not be combined for the purpose of supplying a common answer.

B. Restate the information inquiry immediately preceding each response.

C. Identify the name, title, and business address of each person(s) providing each response and provide the data on which the response was created.

D. In answering these requests, utilize all information and documents that are available to you, including information in the possession of any of your agents, employees or attorneys, or otherwise subject to your custody or control.

E. If you object to any part of a request, answer all parts of such interrogatories or requests to which you do not object, and as to each part to which you do object, separately set forth the specific basis for the objection.

F. If you claim any form of privilege or other protection from disclosure as a ground for withholding information responsive to a request, please explain your claim with sufficient specificity to permit KSBA to make a full determination as to whether your claim is valid.

G. In each instance, the request shall be construed so as to require the most inclusive answer or production.

H. Please attach written material to any answer for which written material is requested and/or available. If such written material is not available, state where it may be obtained. Please label the written material with the number of the request to which it pertains.

#### Definitions

As used in these Requests for Information, the following terms have the meaning as set forth below:

1. "You" or "your" means Kentucky Utility Company or the witness, as the context requires.

2. "List", "describe", "explain", "specify" or "state" shall mean to set forth fully, in detail, and unambiguously each and every fact of which Kentucky Utility Company or its

officers, employees, agents or representatives, have knowledge which is relevant to the answer called for by the request.

3. The terms "document" or "documents" as used herein shall have the same meaning and scope as in Rule 34 of the Kentucky Rules of Civil Procedure and shall include, without limitation, any writings and documentary material of any kind whatsoever, both originals and copies (regardless of origin and whether or not including additional writing thereon or attached thereto), and any and all drafts, preliminary versions, alterations, modifications, revisions, changes and written comments of and concerning such material, including but not limited to: correspondence, letters, memoranda, notes, reports, directions, studies, investigations, questionnaires and surveys, inspections, permits, citizen complaints, papers, files, books, manuals, instructions, records, pamphlets, forms, contracts, contract amendments or supplements, contract offers, tenders, acceptances, counteroffers or negotiating agreements, notices, confirmations, telegrams, communications sent or received, print-outs, diary entries, calendars, tables, compilations, tabulations, charts, graphs, maps, recommendations, ledgers, accounts, worksheets, photographs, tape recordings, movie pictures, videotapes, transcripts, logs, work papers, minutes, summaries, notations and records of any sort (printed, recorded or otherwise) of any oral communication whether sent or received or neither, and other written records or recordings, in whatever form, stored or contained in or on whatever medium including computerized or digital memory or magnetic media that:

- (a) are now or were formerly in your possession, custody or control; or
- (b) are known or believed to be responsive to these requests, regardless of who has or formerly had custody, possession or control.



4. The terms "identify" and "identity" when used with respect to an entity mean to state its full name and the address of its principal place of business.

5. The term to "state the basis" for an allegation, contention, conclusion, position or answer means (a) to identify and specify the sources therefore, and (b) to identify and specify all facts on which you rely or intend to rely in support of the allegation, contention, conclusion, position or answer, and (c) to set forth and explain the nature and application to the relevant facts of all pertinent legal theories upon which you rely for your knowledge, information and/or belief that there are good grounds to support such allegation, contention, conclusion, position or answer.

6. The terms "and" and "or" have both conjunctive and disjunctive meanings as necessary to bring within the scope of the request any information or documents that might otherwise be construed to be outside their scope; "all" and "any" mean both "each" and "every".

7. The terms "relates to" or "relating to" mean referring to, concerning, responding to, containing, regarding, discussing, describing, reflecting, analyzing, constituting, disclosing, embodying, defining, stating, explaining, summarizing, or in any way pertaining to.

8. The term "including" means "including, but not limited to."

9. The term "warranty company" means any company, individual, entity or other organization that engages in the business of providing or arranging for services on utility lines, including but not limited to gas, electric, water or sewer in a consumers home, apartment or other place of abode.

#### **CERTIFICATE OF SERVICE AND FILING**

Counsel hereby certifies that an original and twelve copies of KSBA's Requests for Information were served and filed on March 19, 2010 by hand-delivery to Jeff Derouen,

Executive Director, Public Service Commission, 211 Sower Boulevard, Frankfort, Kentucky 40601; furthermore, it was served by mailing a true and correct copy of the same, first class postage prepaid, to:

Hon. David C. Brown  
Stites & Harbison, PLLC  
1800 Providian Center  
400 West Market Street  
Louisville, Kentucky 40202

Hon. Michael L. Kurtz  
Boehm, Kurtz & Lowry  
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Hon. Allyson K. Sturgeon  
Senior Corporate Attorney  
E.ON U.S. LLC  
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Suite 2800  
Louisville, Kentucky 40202

Hon. Kendrick R. Riggs  
Stoll Keenon Ogden, PLLC  
2000 PNC Plaza  
500 W. Jefferson Street  
Louisville, KY 40202

A handwritten signature in black ink, appearing to read "Matthew W. Lane". The signature is written in a cursive style with a horizontal line underneath it.

ATTORNEY FOR KSBA

**KSBA's Data Requests to  
Kentucky Utilities Company  
Case No. 2009-00548**

## **KSBA'S REQUESTS TO KENTUCKY UTILITY COMPANIES**

### **I. RATE DESIGN**

1. Please provide the work papers, spreadsheets, or any other documents utilized that support the energy and demand allocation factors using the cost of service study referenced by Mr. Seelye.
2. Please provide the work papers, spreadsheets, or any other documents (with redacted customer names) used to develop the impact of the proposed increase on the TOD secondary and primary Rate Schedules.
3. Please provide the work papers, spreadsheets, or any other documents that provide load research data for the All Electric School Rate Schedule AES utilized in the class cost of service study presented by Mr. Seelye.
4. Please provide the work papers, spreadsheets, or any other documents that provide load data research data for the remaining rate classes utilized in the class cost of service study presented by Mr. Seelye.
5. KU has only provided the impact of the proposed increase on the average customer to be served under the GS, PS and TOD secondary and primary rate schedules. In order to examine the impact on all customers served on those schedules please provide the impact in industry typical bill format.