

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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MAY 23 2011

In the Matter of:

JOINT APPLICATION OF LOUISVILLE GAS AND)
ELECTRIC COMPANY AND KENTUCKY UTILITIES)
COMPANY FOR REVIEW, MODIFICATION, AND)
CONTINUATION OF EXISTNG, AND ADDITION OF NEW)
DEMAND-SIDE MANAGEMENT AND ENERGY-)
EFFICIENCY PROGRAMS)

PUBLIC SERVICE
COMMISSION

CASE NO.
2011-00134

MOTION OF METROPOLITAN HOUSING COALITION
FOR FULL INTERVENTION

Comes the Metropolitan Housing Coalition (MHC), by and through counsel, on behalf of members who are directly affected and may be adversely affected by this matter, and respectfully moves to intervene into the above-captioned proceeding as a full party. Pursuant to 807 Kentucky Administrative Regulation (“KAR”) 5:001 Section 3(8), MHC respectfully requests that it be accorded the rights and privileges of a full intervenor in these proceedings, and in support thereof, states as follows:

1. Intervention in formal proceedings before the Kentucky Public Service Commission (“Commission”) is governed by 807 KAR 5:001 Section 3(8), which provides in relevant part that:

In any formal proceeding, any person who wishes to become a party to a proceeding before the Commission may by timely motion request that he be granted leave to intervene. Such motion shall include his name and address and the name and address of any party he represents and in what capacity he is employed by such party.

807 KAR 5:001 Section 3(8).

2. MHC is a nonprofit, nonpartisan membership organization incorporated under the laws of the Commonwealth of Kentucky in 1989 and comprised of over 190

individual members and 200 member organizations. MHC members include representatives of low-income households, private and non-profit housing developers, service providers, financial institutions, labor unions, faith-based and neighborhood groups, as well as other advocacy groups, advocating in a united voice for fair, safe, and affordable housing in the Metro Louisville area. For over two decades, the MHC has utilized the public and private resources of the Metro Louisville community to provide equitable, accessible housing choices for all persons through advocacy, public education, and through support for affordable housing providers.

3. This motion for full intervention is timely, within the meaning of 807 KAR 5:001 Section 3(8). The motion is filed within 39 days of the April 14, 2011 filing of the joint application by LG&E and KU. The procedural schedule was adopted by the Commission by Order dated May 20, 2011, and MHC will accept the schedule as adopted by the Commission, thus there is no prejudice to the applicant or other parties from the grant of full intervenor status to MHC.

4. The grant of intervention to a person pursuant to 807 KAR 5:001 Section 3(8) is within the sound discretion of the Commission, and requires that the person “specify his interest in the proceeding.”

5. As part of its mission, MHC has focused on energy costs as part of fair and affordable housing for many years. Utility costs are a significant component of affordable shelter, and on these issues MHC has done research, effectively advocated for policy changes, represented non-profit affordable housing developers, and worked with local and statewide organizations. MHC’s Director, Cathy Hinko, was an original board member of the Affordable Energy Corporation and continues to serve on that board.

MHC brings a perspective on demand side management programs that is from the practitioner's viewpoint, and has been an active member of the E.ON Customer Care Advisory Group since the program's inception. MHC is also on the Community Winter Help Board.

6. MHC has a \$1.3 million dollar loan pool for non-profit developers to create affordable housing, whether rental or owner-occupied, new or rehabilitated. MHC has been actively involved in policy making for energy efficient housing rehabilitation programs, securing changes in the use of stimulus weatherization dollars to include rental and multi-family housing, and staffing the Non-profit Housing Alliance, an industry group of non-profit developers in the area.

7. MHC's interest in this matter relates to the potential effects of the modification and continuation of existing and addition of new demand-side management and energy-efficiency programs on affordable housing. Among the concerns of MHC are whether the energy-efficiency programs are adequately serving low-income neighborhoods that contain the oldest, least energy efficient homes and the highest percentage of minority population, and the relationship of cost recovery to the distribution of benefits of the various programs. This interest is different than the general public interest.

8. Existing parties to the proceeding do not adequately represent the interests of MHC and its members. While there is some overlapping of the population represented by low-income utility ratepayer advocates and service providers and the MHC, no current party represents the specific perspective and interests in DSM and energy-efficiency programs and cost recovery, on those needing **and** those providing affordable housing.

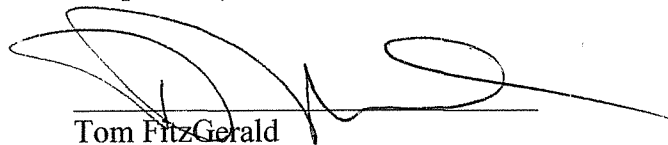
9. 807 KAR 5:001 Section 1(8)(b) provides in the alternative that the Commission shall grant full intervention status if the person “has special interests in the proceeding which is not otherwise adequately represented” or “that full intervention by party (sic) is likely to present issues or to develop facts that assist the commission in fully considering the matter without unduly complicating or disrupting the proceeding[.]” The special interests of MHC and its members in the nexus between utility costs and safe and affordable housing are squarely within the ambit of the Commission’s jurisdiction and this proceeding and are not adequately represented, as discussed above.

10. Alternatively, full intervention should be granted since the participation of MHC would assist the Commission in fully considering the matter without unduly complicating or disrupting the proceeding. The participation of MHC will hopefully assist the Commissioners in determining whether and on what terms the DSM and energy-efficiency programs should be modified and continued and the program costs allocated, and to what extent the new proposed demand-side management and energy-efficiency programs (and the cost recovery thereon) should be approved.

WHEREFORE, for the reasons stated above and in the interests of assuring that those constituencies most directly affected by the electric and gas utility policies, programs, rates and service are heard during this deliberative process, because the special interests of MHC and its member ratepayers are not adequately represented by existing parties or parties that have filed for intervenor status, and in order to provide information that will assist the Commission in fully considering the matter, Movant MHC requests, on behalf of its member ratepayers, that it be accorded the status of full Intervenor, and

that each party to the case be directed to serve upon MHC and the undersigned counsel,
all pleadings and information requests that are filed in this case.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I certify that an original and ten (10) copies of this Motion of the Metropolitan Housing Coalition for Full Intervention were filed by priority mail to the Docket Clerk, Public Service Commission, 211 Sower Boulevard, Frankfort, Kentucky 40601 and that a true and accurate copy of the foregoing was mailed via first class U.S. Mail, postage prepaid, this 23rd day of May, 2011, to the following:

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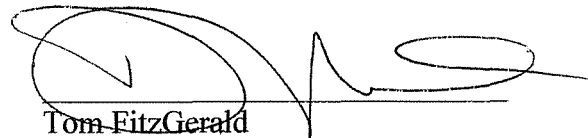
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