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**COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION**

**PUBLIC SERVICE
COMMISSION**

In the Matter of:

APPLICATION OF BIG RIVERS)
ELECTRIC CORPORATION, INC.)
FOR AN ADJUSTMENT OF RATES)

Case No. 2012-00535

JOINT INTERVENORS' INITIAL DATA REQUESTS ON REHEARING

Come now the Kentucky Industrial Utility Customers, Inc., The Attorney General of the Commonwealth of Kentucky, Ben Taylor and Sierra Club [jointly referred to hereinafter as "Joint Intervenors"], and submit the following Initial Requests for Information to Big Rivers Electric Corporation [hereinafter referred to as "Big Rivers" or "BREC"] to be answered by the date specified in the Commission's Order of Procedure, and in accord with the following:

DEFINITIONS

1. "Document(s)" as used herein, the words "document" or "documents" are to be construed broadly and shall mean the original of the same (and all non-identical copies or drafts thereof) and if the original is not available, the best copy available. These terms shall include all information recorded in any written, graphic or other tangible form and shall include, without limiting the generality of the foregoing, all reports; memoranda; books or notebooks; written or recorded statements, interviews, affidavits and depositions; all letters or correspondence; telegrams, cables and telex messages; contracts, leases,

insurance policies or other agreements; warnings and caution/hazard notices or labels; mechanical and electronic recordings and all information so stored, or transcripts of such recordings; calendars, appointment books, schedules, agendas and diary entries; notes or memoranda of conversations (telephonic or otherwise), meetings or conferences; legal pleadings and transcripts of legal proceedings; maps, models, charts, diagrams, graphs and other demonstrative materials; financial statements, annual reports, balance sheets and other accounting records; quotations or offers; bulletins, newsletters, pamphlets, brochures and all other similar publications; summaries or compilations of data; deeds, titles, or other instruments of ownership; blueprints and specifications; manuals, guidelines, regulations, procedures, policies and instructional materials of any type; photographs or pictures, film, microfilm and microfiche; videotapes; articles; announcements and notices of any type; surveys, studies, evaluations, tests and all research and development (R&D) materials; newspaper clippings and press releases; time cards, employee schedules or rosters, and other payroll records; cancelled checks, invoices, bills and receipts; and writings of any kind and all other tangible things upon which any handwriting, typing, printing, drawings, representations, graphic matter, magnetic or electrical impulses, or other forms of communication are recorded or produced, including audio and video recordings, computer stored information (whether or not in printout form), computer-readable media or other electronically maintained or transmitted information, and all other rough drafts, revised drafts (including all handwritten notes or other marks on the same) and copies of documents as hereinbefore defined by whatever means made.

2. "Correspondence" is used in its customary broad sense and includes electronic email, including all attachments, and all written mail, messages and communications between the persons or parties named in the request.
3. "Study" means any written, recorded, transcribed, taped, filmed, or graphic matter, however produced or reproduced, either formally or informally, a particular issue or situation, in whatever detail, whether or not the consideration, of the issue or situation is in a preliminary stage, and whether or not the consideration was discontinued prior to completion whether preliminary or final, and whether or not referred to in Big Rivers' direct testimony.
4. If any document requested herein was at one time in existence, but has been lost, discarded or destroyed, identify such document as completely as possible, including the type of document, its date, the date or approximate date it was lost;

discarded or destroyed, the identity of the person (s) who last had possession of the document and the identity of all persons having knowledge of the contents thereof.

5. "Person" means any natural person, corporation, professional corporation, partnership, association, joint venture, proprietorship, firm, or the other business enterprise or legal entity.
6. A request to identify a natural person means to state his or her full name and residence address, his or her present last known position and business affiliation at the time in question.
7. A request to identify a document means to state the date or dates, author or originator, subject matter, all addressees and recipients, type of document (e.g., letter, memorandum, telegram, chart, etc.), number or code number thereof or other means of identifying it, and its present location and custodian. If any such document was, but is no longer in the Company's possession or subject to its control, state what disposition was made of it.
8. A request to identify a person other than a natural person means to state its full name, the address of its principal office, and the type of entity.
9. "And" and "or" should be considered to be both conjunctive and disjunctive, unless specifically stated otherwise.
10. "Each" and "any" should be considered to be both singular and plural, unless specifically stated otherwise.
11. Words in the past tense should be considered to include the present, and words in the present tense include the past, unless specifically stated otherwise.
12. "You" or "your" means the person whose filed testimony is the subject of these interrogatories and, to the extent relevant and necessary to provide full and complete answers to any request, "you" or "your" may be deemed to include any person with information relevant to any interrogatory who is or was employed by or otherwise associated with the witness or who assisted, in any way, in the preparation of the witness' testimony.

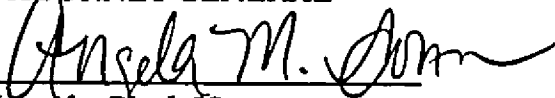
INSTRUCTIONS

1. If any matter is evidenced by, referenced to, reflected by, represented by, or recorded in any document, please identify and produce for discovery and inspection each such document.
2. For any document withheld on the basis of privilege, state the following: date; author; addressee; indicated or blind copies; all persons to whom distributed, shown, or explained; and, the nature and legal basis for the privilege asserted.
3. In the event any document called for has been destroyed or transferred beyond the control of the company, please state: the identity of the person by whom it was destroyed or transferred, and the person authorizing the destruction or transfer; the time, place, and method of destruction or transfer; and, the reason(s) for its destruction or transfer. If destroyed or disposed of by operation of a retention policy, state the retention policy.
4. These interrogatories are continuing in nature, and information which the responding party later becomes aware of, or has access to, and which is responsive to any request is to be made available to Kentucky Industrial Utility Customers. Any studies, documents, or other subject matter not yet completed that will be relied upon during the course of this case should be so identified and provided as soon as they are completed. The Respondent is obliged to change, supplement and correct all answers to interrogatories to conform to available information, including such information as it first becomes available to the Respondent after the answers hereto are served.
5. Unless otherwise expressly provided, each interrogatory should be construed independently and not with reference to any other interrogatory herein for purpose of limitation.
6. The answers provided should first restate the question asked and also identify the person(s) supplying the information.
7. Please answer each designated part of each information request separately. If you do not have complete information with respect to any interrogatory, so state and give as much information as you do have with respect to the matter inquired about, and identify each person whom you believe may have additional information with respect thereto.

8. In the case of multiple witnesses, each interrogatory should be considered to apply to each witness who will testify to the information requested. Where copies of testimony, transcripts or depositions are requested, each witness should respond individually to the information request.
9. The interrogatories are to be answered under oath by the witness(es) responsible for the answer.
10. Responses to requests for revenue, expense and rate base data should provide data on the basis of Total Company as well as Intrastate data, unless otherwise requested.


Respectfully submitted,

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**COUNSEL FOR KENTUCKY
INDUSTRIAL UTILITY
CUSTOMERS, INC.**

**Application of Big Rivers Electric Corporation, Inc. for an Adjustment of Rates
Case No. 2012-00535
On Rehearing
Joint Intervenors' Initial Data Requests**

1. Provide copies of any and all correspondence, including e-mails and faxes, to and from FERC regarding the SSR status of any, and all of the Coleman plant's three units.
 - a. Please include in your response any and all such documents referencing the amount of any and all SSR revenues.

2. Provide copies of any and all correspondence, including e-mails and faxes, to and from MISO regarding the SSR status of any, and all of the Coleman plant's three units.
 - a. Please include in your response any and all such documents referencing the amount of any and all SSR revenues.

3. Provide copies of any and all pleadings and/or any and all other documents sent or addressed to FERC, or received from FERC, including e-mails and faxes, regarding the SSR status of any, and all of the Coleman plant's three units.
 - a. Please include in your response any and all such documents referencing the amount of any and all SSR revenues.

4. Provide copies of any and all pleadings and/or any and all other documents sent or addressed to MISO, or received from MISO, regarding the SSR status of any, and all of the Coleman plant's three units.
 - a. Please include in your response any and all such documents referencing the amount of any and all SSR revenues.

5. Provide copies of any and all studies, analyses, or presentations performed by Big Rivers, or by any person or entity of any type or sort acting on Big Rivers' behalf, regarding the SSR status of any, and all of the Coleman plant's three units.
 - a. Please include in your response any and all such documents referencing the amount of any and all SSR revenues.

6. Provide copies of any and all documents of any type or sort which discuss any or all of the Coleman plant's units' fixed and capital costs in relation to SSR status.

Application of Big Rivers Electric Corporation, Inc. for an Adjustment of Rates
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- a. Please include in your response any and all such documents referencing the amount of any and all SSR revenues.
-
7. Provide copies of any and all documents referencing any and all agreement(s), draft agreement(s) or executory agreement(s) BREC has reached or negotiated with MISO regarding the SSR status of any one or all of Coleman's three units.
 - a. Please include in your response any and all such documents referencing the amount of any and all SSR revenues.
-
8. State whether FERC has approved any and all agreement(s), draft agreement(s) or executory agreement(s) BREC has reached or negotiated with MISO regarding the SSR status of any one or all of Coleman's three units. If approval has not yet been granted, state when a decision is expected, and the basis(es) for that expectation.
 - a. Please include in your response any and all such documents referencing the amount of any and all SSR revenues.
-
9. Provide copies of any and all documents indicating or discussing in any manner the length of time for which the SSR status is requested, or will be, in effect.
 - a. Provide all relevant dates;
 - b. Please include in your response any and all such documents referencing the amount of any and all SSR revenues.
-
10. Provide copies of any and all communications internal within BREC, and/or from any personnel in BREC to its consultants, contractors or advisors of any type or sort regarding:
 - a. SSR status for any one, or all of Coleman's three units;
 - b. communications to / from MISO regarding SSR status for any one, or all of Coleman's three units;
 - c. communications to / from FERC regarding SSR status for any one, or all of Coleman's three units;
 - d. communications to / from any other regulatory body or agency regarding SSR status for any one, or all of Coleman's three units;
 - e. communications to / from any other person or entity regarding SSR status for any one, or all of Coleman's three units;

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- f. Please include in your response any and all such documents referencing the amount of any and all SSR revenues.
11. Provide copies of any and all communications from any of BREC's consultants, contractors or advisors of any type or sort to any of BREC's management or personnel, regarding:
 - a. SSR status for any one, or all of Coleman's three units;
 - b. communications to / from MISO regarding SSR status for any one, or all of Coleman's three units;
 - c. communications to / from FERC regarding SSR status for any one, or all of Coleman's three units;
 - d. communications to / from any other regulatory body or agency regarding SSR status for any one, or all of Coleman's three units;
 - e. communications to / from any other person or entity regarding SSR status for any one, or all of Coleman's three units;
 - f. Please include in your response any and all such documents referencing the amount of any and all SSR revenues.
12. Reference the company's July 29, 2013 response to PSC 4-3. Please provide copies of any and all updates that BREC provided to this response.
13. Regarding the MISO SSR agreement filed with the FERC in Docket ER14-292 please provide the following information:
 - a. Confirm that the December 30, 2013 order by the FERC approved the agreement subject to refund.
 - b. Provide all billings and the associated detail of the billings that Big Rivers has submitted or intends to submit to MISO pursuant to the SSR to date and on an ongoing basis.
 - c. Provide details regarding generation output by Coleman to support Century Hawesville operation on an hourly basis since August 20, 2013. Provide monthly updates on an ongoing basis.
 - d. Provide all compensation and associated details of the compensation Big Rivers has received from MISO pursuant to the SSR to date and on an ongoing basis.
 - e. Provide all billings and the associated details of the billings, from Big Rivers back to Kenergy or Century Hawesville regarding the SSR agreement or any other costs charged back regarding Coleman operation since August 20, 2013 and on an ongoing basis.
 - f. Provide all MISO charges from MISO regarding Century Hawesville transmission service since August 20, 2013 and on an ongoing basis.

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- d. To the extent not provided in response to another request, produce the “final, revised three-unit budget” that BREC “sent to MISO on October 29” and any other documents accompanying that submission.
- e. To the extent not provided in response to another request, produce any other documents reflecting BREC’s communications with MISO, the IMM, and Century concerning the Coleman SSR agreement in September and October 2013.

20. Refer to Rebuttal Testimony of Robert W. Berry, Case No. 2013-0199, at p. 25 of 30.

- a. Confirm that Exhibit 2 to the proposed SSR Agreement for the Coleman plant that has been filed with FERC states Big Rivers will receive a monthly amount of \$3.415 million for the Fixed Component of Compensation for Coleman Units 1-3. If not, what is the correct amount?
- b. Confirm that in Case No. 2012-0535 BREC estimated that operating the Coleman plant on SSR status would result in \$28.61 million in annual cost savings. If not, what did BREC estimate?
- c. Explain any difference between the amount of SSR revenue reflected in the proposed SSR Agreement for the Coleman plant and cost savings that BREC estimated in Case No. 2012-0535 would occur under the SSR Agreement.

Certificate of Service and Filing

Counsel certifies that an original and ten photocopies of the foregoing were served and filed by hand delivery to Jeff Derouen, Executive Director, Public Service Commission, 211 Sower Boulevard, Frankfort, Kentucky 40601; counsel further states that true and accurate copies of the foregoing were mailed via First Class U.S. Mail, postage pre-paid, to:

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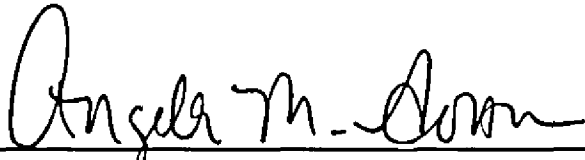
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this 15th day of January, 2014



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