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PUBLIC SERVICE  
COMMISSION

September 19, 2013

**Via Personal Delivery**

Mr. Jeff Derouen, Executive Director  
Case No. 2013-00199  
Kentucky Public Service Commission 211  
Sower Blvd.  
Frankfort, KY 40601

Re: Case No. 2013-00199 Ben Taylor and Sierra Club's Supplemental Requests for Information to Big Rivers Electric Corporation (Corrected Public Version)

Dear Mr. Derouen,

On September 16, 2013, a public version of Ben Taylor and Sierra Club's Supplemental Requests for Information to Big Rivers Electric Corporation was placed of file with the Kentucky Public Service Commission. This version inadvertently contained confidential business information that should have been redacted. Enclosed please find one original and ten (10) copies of the corrected public version of Ben Taylor and Sierra Club's Supplemental Requests for Information to Big Rivers Electric Corporation, filed today in the above-referenced matter via personal delivery. Also included in this filing is a confidential version of the document in a sealed envelope marked "Confidential". Questions 7 (pp. 6), 9 (pp. 7), 10 (pp. 7-8), 11 (pp. 9), 15 (pp. 10), 16 (pp. 10), 23 (pp. 12), 25 (pp. 12), 26 (pp. 13), 29 (pp. 14), 30 (pp. 14-15), 31 (pp. 15), and 32 (pp. 15) include information that is subject to a petition for confidential treatment filed by James Miller and Tyson Kamuf, Counsel for Big Rivers Electric Corp.

Sincerely,

Kristin A. Henry  
Senior Attorney Sierra Club  
85 Second Street  
San Francisco, CA 94105  
Phone: (415) 977-5716  
kristin.henry@sierraclub.org

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

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SEP 19 2013

PUBLIC SERVICE  
COMMISSION

In the Matter of:

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

CASE NO. 2013-00199

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**BEN TAYLOR AND SIERRA CLUB'S SUPPLEMENTAL REQUESTS FOR  
INFORMATION TO BIG RIVERS ELECTRIC CORPORATION  
(CORRECTED PUBLIC VERSION)**

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Intervenors Ben Taylor and Sierra Club (collectively "Environmental Intervenors") pursuant to the Kentucky Public Service Commission's ("Commission") July 18, 2013 Order ("July Order"), propound the following supplemental requests for information on the Big Rivers Electric Corporation's ("Big Rivers" or "BREC") in the above captioned proceeding.

Big Rivers shall answer these requests for information in the manner set forth in the July 18 Order and by no later than the September 30, 2013 deadline set forth in the Appendix of the July 18 Order. Please produce the requested documents in electronic format to:

Shannon Fisk  
Earthjustice  
1617 John F. Kennedy Blvd., Suite 1675  
Philadelphia, PA 19103  
[sfisk@earthjustice.org](mailto:sfisk@earthjustice.org)

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Wherever the response to an interrogatory or request consists of a statement that the requested information is already available to the Environmental Intervenors, 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).

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.

The Environmental Intervenors reserve the right to serve supplemental, revised, or additional discovery requests as permitted in this proceeding.

### **PRIVILEGE**

If you claim a privilege including, but not limited to, the attorney-client privilege or the work product doctrine, as grounds for not fully and completely responding to any interrogatory or request for production, describe the basis for your claim of privilege in sufficient detail so as to permit the Environmental Intervenors or the Commission to evaluate the validity of the claim. With respect to documents for which a privilege is claimed, produce a "privilege log" that identifies the author, recipient, date and subject matter of the documents or interrogatory answers for which you are asserting a claim of privilege and any other information pertinent to the claim that would enable the Environmental Intervenors or the Commission to evaluate the validity of such claims.

### **DEFINITIONS**

Unless otherwise specified in each individual interrogatory or request, "you," "your," "Big Rivers," "BREC," "Corporation" or "Company" refers to Big Rivers Electric Corporation, and its affiliates, employees, and authorized agents.

"And" and "or" shall be construed either conjunctively or disjunctively as required by the context to bring within the scope of these interrogatories and requests for production of documents any information which might be deemed outside their scope by another construction.

"Any" means all or each and every example of the requested information.

"CAIR" means the Clean Air Interstate Rule.

“CCR” means Coal Combustion Residuals.

“CO<sub>2</sub>” means carbon dioxide.

“Communication” means any transmission or exchange of information between two or more persons, whether orally or in writing, and includes, without limitation, any conversation or discussion by means of letter, telephone, note, memorandum, telegraph, telex, telecopy, cable, email, or any other electronic or other medium.

“CSAPR” means the Cross-State Air Pollution Rule.

“Document” refers to written matter of any kind, regardless of its form, and to information recorded on any storage medium, whether in electrical, optical or electromagnetic form, and capable of reduction to writing by the use of computer hardware and software, and includes all copies, drafts, proofs, both originals and copies either (1) in the possession, custody or control of the Companies regardless of where located, or (2) produced or generated by, known to or seen by the Companies, but now in their possession, custody or control, regardless of where located whether or still in existence.

Such “documents” shall include, but are not limited to, applications, permits, monitoring reports, computer printouts, contracts, leases, agreements, papers, photographs, tape recordings, transcripts, letters or other forms of correspondence, folders or similar containers, programs, telex, TWX and other teletype communications, memoranda, reports, studies, summaries, minutes, minute books, circulars, notes (whether typewritten, handwritten or otherwise), agenda, bulletins, notices, announcements, instructions, charts, tables, manuals, brochures, magazines, pamphlets, lists, logs, telegrams, drawings, sketches, plans, specifications, diagrams, drafts, books and records, formal records, notebooks, diaries, registers, analyses, projections, email correspondence or communications and other data compilations from which information can be obtained (including matter used in data processing) or translated, and any other printed, written, recorded, stenographic, computer-generated, computer-stored, or electronically stored matter, however and by whomever produced, prepared, reproduced, disseminated or made.

Without limitation, the term “control” as used in the preceding paragraphs means that a document is deemed to be in your control if you have the right to secure the document or a copy thereof from another person or public or private entity having actual possession thereof. If a document is responsive to a request, but is not in your possession or custody, identify the person with possession or custody. If any document was in your possession or subject to your control, and is no longer, state what disposition was made of it, by whom, the date on which such disposition was made, and why such disposition was made.

For purposes of the production of “documents,” the term shall include copies of all documents being produced, to the extent the copies are not identical to the original, thus requiring the production of copies that contain any markings, additions or deletions that make them different in any way from the original

“EKPC” means East Kentucky Power Cooperative

“ELGs” means Effluent Limitation Guidelines.

“FGD” means flue gas sulfurization

“GHG” means greenhouse gas.

“Identify” means:

- (a) With respect to a person, to state the person’s name, address and business relationship (e.g., “employee”) to Big Rivers;
- (b) With respect to a document, to state the nature of the document in sufficient detail for identification in a request for production, its date, its author, and to identify its custodian. If the information or document identified is recorded in electrical, optical or electromagnetic form, identification includes a description of the computer hardware or software required to reduce it to readable form.

“KU” means Kentucky Utilities Company

“LG&E” means Louisville Gas & Electric Company

“MATS” means Mercury and Air Toxics Standard.

“MISO” means Midwest Independent System Operator

“MFIR” means Margins For Interest Ratio.

“MW” means megawatt

“MWh” means megawatt hour

“NOx” means nitrogen oxides.

“NSPS” means New Source Performance Standards.

“Relating to” or “concerning” means and includes pertaining to, referring to, or having as a subject matter, directly or indirectly, expressly or implied, the subject matter of the specific request.

“RFP” means Request For Proposal.

“SO<sub>2</sub>” means sulfur dioxide.

“TIER” means Times Interest Earned Ratio.

## REQUESTS FOR INFORMATION

1. Refer to BREC's response to SC 1-1a. Identify the "pro forma adjustments" that are expected to result in BREC earning a 1.11 Times Interest Earned Ratio ("TIER") in the test period.
  
2. Refer to p. 8 line 13 of the Direct Testimony of Billie Richert. Identify the TIER, both before and after pro forma adjustments, that BREC earned in fiscal year 2012.
  
3. Refer to the Attachment to BREC's response to SC 1-23(e)(i). State whether the TIER identified for each of years 2016 through 2027 is before or after "pro forma adjustments" discussed in request 1 above.
  - a. If after pro forma adjustments, identify the TIER before pro forma adjustments for each of years 2016 through 2027.
  - b. If before pro forma adjustments, identify the TIER after pro forma adjustments for each of years 2016 through 2027.
  
4. Refer to pp. 13-14 of the Direct Testimony of Daniel Walker. State whether the 1.40 to 1.60 TIER that BREC should be aiming for is before or after the "pro forma adjustments."
  - a. If after the pro forma adjustments, identify the equivalent TIER range before the pro forma adjustments.
  - b. If before the pro forma adjustments, identify the equivalent TIER range after the pro forma adjustments.
  
5. Refer to BREC's response to SC 1-23. Reconcile the statement in response to SC 1-23(a) that "it is expected that the transition period" to a TIER of 1.40 to 1.60 "will take 1 to 3 years" with the fact that the Attachment to the response to SC 1-23(e)(i) projects that the TIER under Big Rivers' long-term forecast is projected to stay below 1.40 in all but one of the years from 2016 through 2027.

6. Refer to BREC's response to SC 1-23(d) and the Attachment to the response to SC 1-23(e)(i). Explain how BREC intends to achieve a TIER of between 1.40 and 1.60 without seeking an additional rate increase.
  
7. Refer to lines 9, 80, and 81 of the Stmts RUS tab of the Long-Term Financial Forecast produced in response to PSC 2-14.
  - a. Explain the basis for the replacement load sales projected in line 9 for each year of 2016 through 2027.
  - b. Explain the basis for the replacement load prices projected in line 81 for each year of 2016 through 2027.
  - c. Identify and produce any study, report, or analysis that supports the replacement load sales and/or replacement load prices projected in lines 9 and 81.
  - d. Explain how BREC expects to attract significant amounts of replacement load sales at prices that are [REDACTED] than the market energy price projected in line 80.
  
8. Refer to BREC's response to KIUC 1-48.
  - a. Explain the basis for the assumption that BREC will acquire replacement load of 100 megawatt ("MW") in each of 2016 through 2019, and 200MW in each of 2020 and 2021
  - b. Identify and produce any study, report, or analysis that supports such replacement load assumptions.
  
9. Refer to the Attachment to BREC's response to PSC 2-14.
  - a. For each of the four market energy price forecasts identified therein, state whether the forecast assumed implementation of each of the following finalized, proposed, or potential environmental regulations and, if so, the year in which such implementation is assumed.
    - i. Mercury Air Toxics Standards ("MATS")
    - ii. Clean Air Interstate Rule ("CAIR")
    - iii. Cross-State Air Pollution Rule ("CSAPR")
    - iv. Effluent Limitation Guidelines ("ELGs")
    - v. Coal Combustion Residuals ("CCR")
    - vi. Greenhouse house gas New Source Performance Standards ("GHG NSPS")

b. For each of the four market energy price forecasts identified therein, state whether the forecast assumes a price on carbon emissions in any of the years of the forecast.

i. If so:

1. Identify the carbon price assumed for each of the years 2014 through 2027.
2. Explain how such prices were identified.
3. Identify and produce any study or analysis supporting such carbon price projection.

ii. If not:

1. Explain why not.
2. Identify and produce any study or analysis supporting the assumption of no price on carbon emissions between now and 2027.
3. Identify any other utility that BREC is aware of that assumes in its long term financial forecasting that there will be no price on carbon emissions between now and 2027.

c. For the ACES market energy price forecasts, explain why:

[REDACTED]

d. State whether Big Rivers has considered the use of other market energy price forecasts in its long term forecasting in order to reduce dependence on the [REDACTED] ACES forecasts.

i. If not, explain why not.

e. Please clarify what role, if any, the IHS price forecast plays in Big Rivers' long-term forecasting.

10. Refer to Capacity Market tab of the Long-Term Financial Forecast capacity market sensitivity analyses provided in response to PSC 2-14.

a. With regards to the MISO Zone 6 capacity price forecasts found on lines 5 through 8:

[REDACTED]



- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- iv. Identify and produce each capacity price forecast, or any other study or analysis that you relied on in identifying your forecasted capacity prices.
1. For each such capacity price forecast that you relied on, state whether the forecast is for MISO Zone 6.
  2. Identify the projected capacity price for each year of such forecast.
  3. Identify the level of coal plant retirements (in MWs) assumed in each capacity price forecast you relied on.
  4. State whether each capacity price forecast you relied on assumed implementation of each of the following finalized, proposed, or contemplated environmental regulations and, if so, the year in which such implementation is assumed.
    - a. MATS
    - b. CAIR
    - c. CSAPR
    - d. ELGs
    - e. CCR
    - f. GHG NSPS
  5. State whether each capacity price forecast assumed a price on carbon emissions.
    - a. If so:
      - i. Identify the carbon price assumed for each of the years 2014 through 2027.
      - ii. Explain how such prices were identified.
      - iii. Identify and produce any study or analysis supporting such carbon price projection.
    - b. If not:
      - i. Explain why not.
      - ii. Identify and produce any study or analysis supporting the assumption of no price on carbon emissions between now and 2027.
      - iii. Identify any other utility that BREC is aware of that assumes in its long term financial forecasting that there will be no price on carbon emissions between now and 2027.
  6. State whether the capacity price forecasts you included in your Long-Term Financial Forecast capacity market sensitivity analyses used the same assumptions regarding coal plant retirements, environmental regulations, and carbon prices as did the capacity price forecasts that you relied on in creating your forecast.
    - a. If not, explain how the assumptions used for your forecast differ and why.

11. Refer to BREC's response to SC 1-27. Reconcile the statement that the installation of MATS controls on the Coleman and Wilson plants will be deferred while those units are idled until one year before their expected return to service, with the Long-Term Financial Forecast (tab Capex & Depr, line 20) showing all environmental capital spending [REDACTED], with [REDACTED] environmental capital expenditures thereafter through 2027.
12. Refer to BREC's response to SC 1-16.
- a. Identify each expense and its amount that you included in calculating that the annual savings of selling, rather than idling, the Wilson plant would be \$39.7 million.
  - b. Identify each expense and its amount that you included in calculating that the annual savings of selling, rather than idling, the Coleman plant would be \$16.8 million.
  - c. Are the annual savings from selling, rather than idling, the Wilson and Coleman plants affected by the price at which the units are sold?
    - i. If so, how?
    - ii. If not, why not?
  - d. Is it BREC's position that if it were to retire either the Wilson or Coleman plants that it would be unable to recover from ratepayers the unamortized plant balance?
    - i. If so, why?
    - ii. If not, has BREC evaluated options for recovering unamortized plant balances if the Wilson or Coleman plants were retired?
13. Refer to BREC's response to SC 1-20(a). Provide a narrative explanation of the regression models provided in response to SC 1-20a, including:
- a. Definitions of all variables.
  - b. An algebraic statement of the equation(s) estimated in these models.
  - c. Identification of the econometric methods used to estimate the equations.
  - d. An explanation of the calculations used to derive elasticities from the regression coefficients.
14. Refer to BREC's response to PSC 2-20.
- a. Identify and produce any studies, analyses, reports, or empirical evidence supporting the statement that "Large industrial customers have less ability to react to price signals than do rural class customers."

- b. Identify and produce any studies, analyses, or reports of price elasticity of demand that estimate a smaller (in absolute value) elasticity for industrial demand than for residential demand.
  - c. Provide any studies, analyses, or reports supporting BREC's assumption in this proceeding that the price elasticity of demand is zero (i.e., quantity of electricity demanded is unaffected by price) for Big Rivers' industrial customers.
  - d. Produce any communications that BREC has had with large industrial customers regarding what impact the rate increases reflected in the Century and Alcan rate cases would have on electricity consumption by large industrial customers.
  - e. Describe any effort BREC has taken to determine the impact that the rate increases reflected in the Century and Alcan rate cases would have on electricity consumption by large industrial customers.
15. Refer to p. 1 of the 2013 Load Forecast produced in response to AG 1-139, which identifies an approximately [REDACTED] increase in retail electricity prices over the years 2014 to 2016, and a resulting [REDACTED] decline in sales over that same time period.
- a. Identify the starting and ending rates upon which the approximately [REDACTED] increase in retail electricity prices is based.
  - b. Explain how the [REDACTED] decline in sales is consistent with the price elasticity of demand identified on p. 12 of the Barron testimony.
16. Refer to p. 11 of the Attachment to BREC's response to AG 1-158, which identifies rural rates increasing from [REDACTED] per MWh in 2012 to [REDACTED] per MWh in 2016. State what percent of decline in rural sales BREC assumed in its load forecast would result from such increase in rates, and explain the basis for such assumption.
17. Refer to BREC's response to SC 1-12.
- a. Identify your current best estimate of the annual transmission revenues that Big Rivers will receive from the Century smelter and the assumptions upon which that estimate is based.
  - b. State whether any transmission revenues from the Century smelter are factored into the Production Cost Modeling or Long-term Financial Forecasting in this case.
    - i. If so, state what level of revenues are included and how they are factored in.
    - ii. If not, explain why not.

18. Is Big Rivers negotiating a contract to provide transmission services to the Sebree smelter following its departure from the Big Rivers system?
  - a. If so, describe the state of the negotiations and identify any significant differences between the latest draft of that proposed contract and the agreement for the Century smelter.
  
19. If an agreement is reached to provide transmission services to the Sebree smelter, on terms comparable to the agreement for Century smelter, what is your best estimate of the transmission revenues Big Rivers would receive from the Sebree smelter?
  
20. Refer to BREC's response to SC 1-37(d). State whether BREC is taking any steps to evaluate or estimate costs for potential compliance with Clean Water Act Effluent Limitation Guidelines.
  - a. If so, explain such steps and identify by when BREC expects to have a cost estimate.
  - b. If not, explain why not.
  
21. Refer to BREC's response to KIUC 1-48.
  - a. Explain why BREC is running a modeling sensitivity evaluating a fuel switch from coal to natural gas at the R.D. Green plant.
  - b. Produce all modeling files, including all inputs and outputs, in machine-readable format with formulas intact, and any other documents or analyses regarding a potential fuel switch from coal to natural gas at the R.D. Green plant. If such modeling is not yet complete, produce it when it becomes complete.
  
22. Refer to the Big Rivers Benchmarking analysis by Navigant Consulting produced as an Attachment to BREC's response to KIUC 1-39.
  - a. Identify the number of "Small Coal Plants with FGD" to which the BREC units were compared to in the analyses described on pages 3 to 11 of the Benchmarking analysis.
  - b. Identify the number of "Medium Coal Plants with FGD" to which the Wilson plant was compared to in the analyses described on pages 12 to 18 of the Benchmarking analysis.

23. Refer to BREC's response to PSC 2-16 and the Attachments to that response.

- a. Confirm that PSC Attachment 2-16 includes only [REDACTED].
- b. Confirm that BREC bid on all RFPs identified in PSC Attachment 2-16.
- c. For each of the RFPs identified in PSC Attachment 2-16 which BREC bid on, identify the prices that Big Rivers bid for providing energy and capacity in each of the formal responses.
- d. Identify the results of each of the RFPs identified in PSC Attachment 2-16, including whether Big Rivers' formal response to each such RFP has been accepted or rejected.
  - i. In each case where Big Rivers' bid has been rejected and the winning bid is known, identify the prices of the winning bids for providing energy and capacity.
- e. State whether there are any additional RFPs not identified in BREC's response to PSC 2-16 and the attachments that BREC has bid on or anticipates bidding on. If so:
  - i. Identify the utility that issued each RFP, the date of the RFP, the amount of energy and/or capacity sought in the RFP, and the period of time for which each RFP was seeking such energy and/or capacity.
  - ii. Produce each RFP and Big Rivers' response to each such RFP.
  - iii. Identify the results of each such RFP, including whether Big Rivers' formal response to each such RFP has been accepted or rejected, and, if known, the energy and/or capacity prices of the winning bid.

24. Refer to BREC's response to SC 1-11.

- a. Identify each "existing load served by others" that Big River expects will give "notice of its intent to terminate its long term wholesale agreement" between now and 2022.
  - i. For each load identified, list the source of the load and the timetable for which Big Rivers anticipates taking over that load.
- b. Identify how much "existing load served by others" Big Rivers estimates it will be able to serve on a long-term basis? Explain the basis for such estimate.

25. Refer to BREC's response to PSC 2-16, which states at page 4 line 3 that [REDACTED]

a. [REDACTED]

- b. Please clarify what BREC and [REDACTED]  
[REDACTED]
- c. Produce all documents and workpapers (in electronic machine-readable format with formulas intact) [REDACTED]
- e. Produce all documents and workpapers (in electronic machine-readable format) [REDACTED]
- f. Provide any updates regarding [REDACTED]  
[REDACTED].

26. Refer to p. 4 of BREC's response to PSC 2-16. With regards to [REDACTED]  
[REDACTED]

- a. State whether BREC worked with [REDACTED]  
[REDACTED].
  - i. [REDACTED]
  - ii. If not, explain why [REDACTED]
- b. Produce all documents and workpapers (in electronic machine-readable format with formulas intact) [REDACTED]
- c. Produce all documents and workpapers (in electronic machine-readable format) [REDACTED]
- e. Provide any updates regarding [REDACTED]  
[REDACTED]

27. State whether Big Rivers has estimated the market value of the Wilson plant.

- a. If so, identify that market value and explain the basis for that value.
- b. If not, explain why not

28. State whether Big Rivers has estimated the market value of the Coleman plant.

- a. If so, identify the market value and explain the basis for that value

- b. If not, explain why not.

29. Refer to pages 4 to 5 of BREC's response to PSC 2-16

- a. [REDACTED]
- ii. If not, explain why not [REDACTED]
- ii. If not, explain why not [REDACTED]
- f. Please provide a copy of the [REDACTED] referenced in BREC's response to PSC 2-16 at page 6 lines 1-3.
- g. Provide any updates regarding the status of [REDACTED]

30. Refer to BREC's response to PSC 2-16 at p. 7.

- a. Identify the price at which BREC offered to [REDACTED].
- b. State whether BREC offered to [REDACTED].
  - i. If so, for how many years and at what price?
  - ii. If not, explain why not.

- c. Provide any updates regarding the proposed [REDACTED].

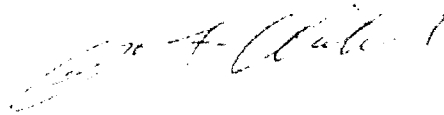
31. Refer to BREC's response to PSC 2-16 at p. 8

- a. Produce all documents and workpapers (in electronic machine-readable format with formulas intact) regarding the [REDACTED] Big Rivers provided [REDACTED]
- b. Produce all communications between [REDACTED] and BREC regarding the [REDACTED] Big Rivers provided [REDACTED]

32. Refer to BREC's response to PSC 2-16 at p. 10.

- a. Produce all documents and workpapers (in electronic machine-readable format with formulas intact) regarding the potential [REDACTED]
- b. Produce all communications between [REDACTED] and BREC regarding the potential [REDACTED].

Respectfully submitted,



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Dated: September 19, 2013

## CERTIFICATE OF SERVICE

I certify that I mailed a copy of Ben Taylor and Sierra Club's Supplemental Requests for Information from Big Rivers Electric Corporation by e-mail and first class mail on September 16, 2013 to the following:

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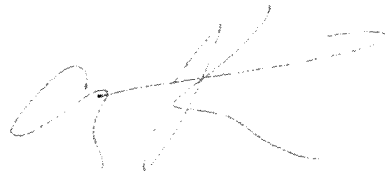
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