

Via Fax (502) 564-3460

November 2, 2016

Dr. Talina Mathews  
Director Public Service Commission  
P.O. Box 615  
Frankfort, KY 40602

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PUBLIC SERVICE  
COMMISSION

RE: Case No. 2016-00274

Dear Dr. Mathews:

Thank you for this opportunity to respond and object to the joint application of Kentucky Utilities Company and Louisville Gas and Electric Company (the "Companies") for separate tariffs for an optional, voluntary Solar Share Program Standard Rate Rider ("SSP" or the "Solar Plant Proposal"). As I've already indicated, I have several serious concerns and objections about the proposed location of the Solar Plant since it will be located across from my residence. I also have concerns with the Companies' failure to provide customers with Notice of the SSP as mandated by the Kentucky Administrative Regulations ("KAR").

For the reasons tendered below, I respectfully request to intervene in this matter, and further request the PSC delay proceedings, including any determination of the Companies' proposal, pending my intervention.

## THE COMPANIES FAILED TO PROVIDE THE REQUIRED WRITTEN NOTICE TO

### CUSTOMERS

The Companies filed their joint application with the Public Service Commission (“PSC”) on August 2, 2016. 807 KAR 5:011 Section 8 Notice) states “A utility *shall provide notice . . . [by] mailing a written notice to each customer no later than the date the tariff filing is submitted to the Commission.” 807 KAR 5:011 Section 8 (2)(b)(2) (emphasis added.) The Companies written notice was dated August 3, 2016, and received well after the filing.*

More importantly, the Companies admit they sent written notice only to 20 customers living on Connor Station Road (the proposed site of the Solar Plant), even though there are more than 110 customers on that road. When asked why the Companies limited written notice of their proposal to only 20 customers, Jim Holderman, Manager of Real Estate and R/W for the Companies, replied:

“For the Solar Share Project, we mailed letters to 20 property owners, which included two owners south of I-64. Although our proposed use of the property as a generation facility is exempt from zoning, we have much respect for the zoning regulations, and with that we notified adjoining owners. We anticipated others learning about the project through word of mouth discussions with family and friends, as well as the media outlets.”

THE COMPANIES' FAILED TO PROVIDE NOTICE TO CUSTOMERS OF A MEETING SCHEDULED TO ADDRESS QUESTIONS AND CONCERNS ABOUT THE PROPOSAL

The August 3, 2016 letter included the date of a meeting on August 23, 2016 where customers could address any questions and concerns to the representatives of the Companies. Since only 20 customers living on Connor Station Road received this letter, over 90 customers living on that road were unaware of the proposal or of the meeting, and were denied the opportunity to provide input to the Companies and the chance to have their questions and concerns addressed. Again, the Companies' limitation of "customers" to just those living on Connor Station Road is questionable.

THE COMPANIES "PUBLIC NOTICE" WAS INEFFECTIVE

The Companies did publish notice of their proposal and of the August 23, 2016 meeting in the Shelbyville Sentinel-News. Unfortunately that notice did not appear in the newspaper until August 24, 2016, one day after the August 23, 2016 meeting, and three weeks after the Joint Application was filed.

THE COMPANIES HAVE NOT ACTED IN GOOD FAITH

While the failure to give adequate notice is paramount, I also have the following concerns:

- Because of the failure to adequately notify consumers, I requested

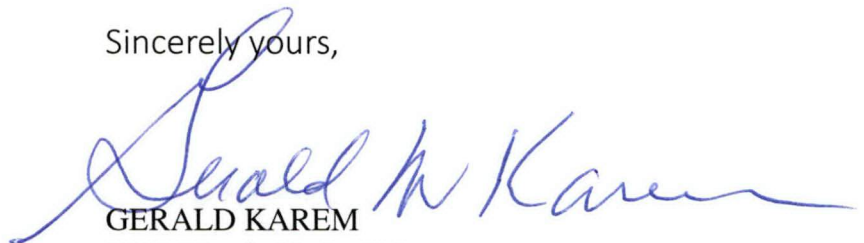
David Huff conduct a second meeting to which all consumers would be invited. He declined, even though it was the Companies' fault that proper notice was not provided.

- There has been no study on the effect the Solar Plant will have on property values of residential properties. The Solar Plant is an industrial development which the Companies propose to locate in the middle of an agricultural / residential area, one that includes horse farms, and indeed this area is the American Saddlebred Horse Capital of the World.
- According to David Huff, the determining factor in choosing the site on Connor Station Road was that it had good visibility from I-64. In other words, it would enhance the Companies' "green image" at the cost of the residential properties in the neighborhood. Other factors mentioned were that the property was for sale, and was in the center of the LG&E and KU service area.
- The Shelby County Judge Executive has offered the Companies property that the Commonwealth already owns, in an industrial location along I-64, just a few miles from the proposed location. Why has this site not been considered?
- At the neighborhood meeting when questioned about Companies'

efforts to provide a buffer between the Solar Plant and surrounding residential properties, David Huff said full grown, mature evergreen trees would be planted. However, more recently, Mr. Holderman has referenced "6 foot high trees."

- No explanation has been given as to why the Companies are willing to pay \$15,000 per acre for the residential / agricultural property on Connor Station Road when there are farm and commercial properties bordering I-64 that may cost substantially less and which would not have a negative impact

Sincerely yours,



GERALD KAREM  
1015 Wooded Lake Drive  
Simpsonville, KY 40067  
jerry@jerrykarem.com

CC: Andy Beshear, Kentucky Attorney General