

RECEIVED

COMMONWEALTH OF KENTUCKY

JUL 16 2018

BEFORE THE PUBLIC SERVICE COMMISSION

PUBLIC SERVICE
COMMISSION

In the Matter of:

APPLICATION OF BIG RIVERS ELECTRIC)	
CORPORATION FOR TERMINATION OF)	
CONTRACTS AND A DECLARATORY ORDER)	CASE NO.
AND FOR AUTHORITY TO ESTABLISH A)	2018-00146
REGULATORY ASSET)	

ATTORNEY GENERAL’S SUPPLEMENTAL DATA REQUESTS

Comes now, the Attorney General of the Commonwealth of Kentucky, by and through his Office of Rate Intervention, and submits these Supplemental Data Request to Big Rivers Electric Corporation (hereinafter “Big Rivers”) to be answered by the date specified in the Commission’s Order of Procedure, and in accord with the following:

- (1) In each case where a request seeks data provided in response to a staff request, reference to the appropriate request item will be deemed a satisfactory response.
- (2) Identify the witness who will be prepared to answer questions concerning each request.
- (3) Repeat the question to which each response is intended to refer. The Office of the Attorney General can provide counsel for Big Rivers with an electronic version of these questions, upon request.
- (4) These requests shall be deemed continuing so as to require further and supplemental responses if the company receives or generates additional information within the scope of these requests between the time of the response and the time of any hearing conducted hereon.
- (5) Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity

that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

(6) If you believe any request appears confusing, please request clarification directly from Counsel for the Office of Attorney General.

(7) To the extent that the specific document, workpaper or information as requested does not exist, but a similar document, workpaper or information does exist, provide the similar document, workpaper, or information.

(8) To the extent that any request may be answered by way of a computer printout, please identify each variable contained in the printout which would not be self-evident to a person not familiar with the printout.

(9) If the company has objections to any request on the grounds that the requested information is proprietary in nature, or for any other reason, please notify the Office of the Attorney General as soon as possible.

(10) 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 regardless of the media or format in which they are stored, 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.

(11) 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.

(12) 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.

(13) Please provide written responses, together with any and all exhibits pertaining thereto, in one or more bound volumes, separately indexed and tabbed by each response, in compliance with Kentucky Public Service Commission Regulations.

(14) “And” and “or” should be considered to be both conjunctive and disjunctive, unless specifically stated otherwise.

(15) “Each” and “any” should be considered to be both singular and plural, unless specifically stated otherwise.

Respectfully submitted,

ANDY BESHEAR
ATTORNEY GENERAL



KENT A. CHANDLER
JUSTIN M. McNEIL
LAWRENCE W. COOK
REBECCA W. GOODMAN
ASSISTANT ATTORNEYS GENERAL
700 CAPITAL AVE., SUITE 20
FRANKFORT KY 40601-8204
(502) 696-5453
Kent.Chandler@ky.gov
Justin.McNeil@ky.gov
Larry.Cook@ky.gov
Rebecca.Goodman@ky.gov

Certificate of Service and Filing

Counsel certifies that an original and ten photocopies of the foregoing were served and filed by hand delivery to Ms. Gwen Pinson, 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:

Thomas J. Costakis
Norman T. Funk
Krieg DeVault LLP
One Indiana Square
Suite 2800
Indianapolis, IN 46204

James M. Miller
Sullivan, Mountjoy
100 St. Ann Street
P.O. Box 727
Owensboro, KY 42302

Tyson A. Kamuf
Corporate Attorney
Big Rivers Electric Corporation
201 Third Street
P.O. Box 24
Henderson, KY 42420

Michael L. Kurtz
Jody Kyler Cohn
Kurt J. Boehm
Boehm, Kurtz & Lowry
36 East Seventh Street, Suite 1510
Cincinnati, OH 45202



Assistant Attorney General

July 16, 2018

In the Matter of: Application of Big Rivers Electric Corporation for
Termination of Contracts and a Declaratory Order and
for Authority to Establish a Regulatory Asset
Case No. 2018-00146
Attorney General's Supplemental Data Requests

1. Refer to Big Rivers' response to PSC DR 1-10, wherein Big Rivers states, "[t]he Commission has previously exercised its jurisdiction over the contracts at issue by approving the contracts and amendments thereto." Provide citations to all cases where the Kentucky Public Service Commission ("Commission") approved the contracts at hand, or the amendments thereto.
2. Refer to the attachment to Big Rivers' response to AG DR 1-5.
 - a. Did Big Rivers request Commission approval, certificates of public convenience and necessity, or declaratory orders that the same were not necessary for any of the assets listed in the attachment? If so, provide the case number where each were requested and approved.
 - b. If the assets listed under plant GL acct. nos. 10103125, 1010312F, or 1010312K were not approved by the Commission, explain why not. If the assets did not receive Commission approval, explain why it is proper for the Commission to create a regulatory asset to later recover these amounts.
 - c. Explain why the accumulated depreciation for the asset under plant GL acct. no. 10103125 is positive.
 - d. Provide the in-service date, estimated total life and estimated remaining life of the assets listed in the "SII Only Assets" category. For this response, assume the contracts at issue are not terminated.
 - e. Confirm that for Big Rivers' \$89.5M remaining net book value related to SII, Big Rivers is currently only recovering through rates \$3,439,211, as noted in Big Rivers' response to PSC DR 1-4.
 - i. If confirmed, further confirm this depreciation rate assumes an average remaining depreciable life of Big Rivers' portion of SII assets of approximately 26 years.
 - ii. If confirmed, further confirm that the only amortization period for the requested regulatory asset that Big Rivers mentions in its application and associated documents is 15 years.