

From: [PSC Public Comment](#)
To: [REDACTED]
Subject: RE: LG&E Comments Case No. 2021-00393.
Date: Monday, April 11, 2022 2:28:00 PM

Case No. 2021-00393

Thank you for your comments on the application of Kentucky Utilities Company and Louisville Gas and Electric Company. Your comments in the above-referenced matter have been received and will be placed into the case file for the Commission's consideration. Please cite the case number in this matter, 2021-00393, in any further correspondence. The documents in this case are available at [View Case Filings for: 2021-00393 \(ky.gov\)](#).

Thank you for your interest in this matter.

From: Monica Unseld [REDACTED]
Sent: Friday, April 1, 2022 10:42 AM
To: PSC Public Comment <PSC.Comment@ky.gov>
Subject: LG&E Comments Case No. 2021-00393.

Good morning,

Please see my attached comments.

Monica E. Unseld, Ph.D., MPH
Home address: 8504 Ambrosse LN #103, Louisville, KY 40299
Case No. 2021-00393.

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Monica E. Unseld, Ph. D, MPH
Until Justice Data Partners

[REDACTED]
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“Justice is what love sounds like when it speaks in public.”
— Michael Eric Dyson

[REDACTED]



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Monica Unseld, Ph.D., MPH

Until Justice Data Partners

Re: Case Filing 2021-00393 LG&E/KU 2021 Integrated Resource Plan

Until Justice Data Partners (UJDP) is a non-profit advocacy group that seeks to encourage more community-based research and partnerships, creating a community of justice researchers empowered to use data in their work. We strive to unite and expand the data community for the social good. We believe that data can be a powerful advocacy tool, and that lived experience and non-traditional sources of data should be examined.

There is no lack of data on the effects of fossil fuel combustion on air quality, the environment, and public health. Greenhouse gas emissions from burning coal and natural gas reduce air quality, contribute to climate change, and lower health outcomes and life expectancy for those closest to power generation sites. In fact, the impacts of climate change are now a part of our daily lives, all around the world. As per usual, those most impacted by these effects are disproportionately Black, Brown, Indigenous, and low-income communities, however, no one will be spared. When the decision is made to continue operating coal-fired power plants or build new natural gas infrastructure, these are the populations that pay the highest cost in health and quality of life. Once again, no one will be spared.

In “A Transformative Climate Action Framework¹,” authored by the Union of Concerned Scientists and an advisory committee of prominent practitioners and researchers, including myself, it is again stated that we must collectively address the climate crisis by cutting greenhouse gas emissions at least 50% below 2005 levels by 2030 and achieve net-zero emissions by 2050. There are two primary ways to meet these goals: 1) Change the ways in which energy is used and 2) clean up the ways that energy is produced.

For LG&E/KU, appropriate measures would include an increase in energy efficiency programs and demand-side management offerings to customers, particularly low-income residents who are more likely to live in older, more inefficient housing and face a higher-than-average energy burden. In addition to lowering resident utility bills, these measures also help offset peak demand during the hottest and coldest times of the year by lowering overall energy use.

Early retirement of coal-fired power plants and investments in clean energy improve air quality, public health outcomes, and quality of life for those most impacted by emissions from burning fossil fuels. Casey et al. (2020) found that after the closure of the Cane Run Road coal-fired power plant and the addition of emissions control technology at Mill Creek, there was a significant reduction in asthma hospitalizations and daily asthma symptoms for communities near the facilities². Reductions in

¹ Union of Concerned Scientists 2021.

² Improved asthma outcomes observed in the vicinity of coal power plant retirement, retrofit and conversion to natural gas. 2020. Casey et al. Nature Energy.



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particulate matter, sulfur dioxide, nitrogen dioxides, mercury and other heavy metals leads to direct improvements in public health.

We can no longer ignore the direct connection between burning fossil fuels and climate change. The same communities most impacted by emissions are also those most likely to face destructive climate change effects, including flooding, heat waves, and increased ground-level ozone.

Lastly, Until Justice Data Partners strongly recommends that LG&E/KU engage with the community during these planning processes, particularly the residents most impacted by utility operations, in order to better understand the cost impacts on low-income households and the long-term effects of energy generation. This engagement must be rooted in respect with community's having power to make decisions. Speaking with communities and then ignoring them is not true engagement. It is wholly irresponsible to plan for continued fossil fuel use when the impacts are already right in front of our eyes. While LG&E may see this as a sound business decision, we must thoroughly examine the potential loss of life, loss of memories, loss of homes, and impact on our healthcare system in our cost-benefit analysis. Energy decisions reach beyond energy bills.

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Thank you for your interest in this matter.

From: Cathy Hinko [REDACTED]
Sent: Monday, April 11, 2022 11:00 AM
To: PSC Public Information Officer <PSC.Info@ky.gov>; PSC Public Comment <PSC.Comment@ky.gov>
Subject: Comment on Case no. 2021-00393

Public Service Commission Case No. 2021-00393
Comment by Cathy Hinko
1941 Payne Street, #1
Louisville, KY 40206

The Integrated Resource Plan (IRP), as presented by LG&E/KU (hereinafter LG&E) is deficient, faulty, ignores and/or violates laws on discrimination, ignores and/or violates the law on Demand Side Management input and puts our environmental future at risk. The PSC should reject this IRP.

I am a customer of LG&E, a shareholder of PPL and a resident of Louisville Kentucky, so the IRP has a direct impact on me and my quality of life. I have six lines of argument against this IRP.

A. THE IRP DOES NOT PLAN FOR MEANINGFUL REDUCTION OF USE OF FOSSIL FUELS AND THEREFORE JEOPARDIZES THE HEALTH AND WELLBEING OF CUSTOMERS.

The IRP is based on profit enhancement rather than the health and wellbeing of residents. While privately owned, LG&E enjoys a regulated privilege to administer a public utility and in return, ratepayers pay not only all the costs, but a guaranteed profit. That privilege needs to recognize a hierarchy of responsibility to ratepayers and residents over shareholders. Customers are paying for their service and should be the primary consideration. Since the privilege to operate includes a guaranteed profit paid by customers, strategies to enhance profit over future health need to be excised from the IRP and the IRP needs to plan for future health.

There will be many comments made by scientists who have studied the IRP and can offer details as to how the IRP does not plan for a healthful future and I echo and support those analyses. But it does not take a scientist to see the paucity of commitment to reduction of the use of fossil fuels. A child could see that deficit and it is Kentucky children who will bear the horror of the lack of commitment.

Ultimately, 15 years from now, LG&E will have reduced reliance on fossil fuels by less than 20% which will have a negative impact on our climate. The short time frame of three years shows little or no change in use of fossil fuel. Ultimately, in 15 years, LG&E will have only increased reliance on renewable energy to 18%. The short term shows little or no change in use of these sources.

While the IRP focuses on electricity, natural gas is used in producing electricity, so any use of natural gas should be considered. LG&E is proposing an actual EXPANSION of using natural gas, paid for by rate payers, to a distillery and, because that is not enough environmental degradation, the destruction of a forest is a consequence. This is a prime example of profiteering over health and wellbeing of residents. The larger their base of operations the more profit LG&E is guaranteed. This expansion should be factored in an assessment of the IRP projections.

Any attempt by LG&E to use green companies in other parts of the country to buy their way out of the responsibility to Kentucky residents should be eschewed. The “public” in public utility are we Kentuckians, we who live in the service area. Better air in New England is not better air in the Louisville/Ohio Valley area or Lexington area.

B. RACIAL, ETHNIC, FEMALE-HEADED HOUSEHOLDS AND PERSONS OVER 65 WITH A DISABILITY HAVE BEEN NEGATIVELY IMPACTED BY LG&E STRATEGIES WHICH OVER BURDEN THESE CLASSES AND ARE DISENCEMENTIVES TO LOWERING USAGE BY ALL HIGH-USE RESIDENTS

By transferring the percent of cost of utilities from usage into the mandatory Basic Service Charge, LG&E is disparately bleeding dense census tracts of Black households,- particularly low-income area- who have lower usage than affluent White areas, to subsidize utility service to White areas, particularly high-income areas. This takes money from low-income households to provide service to high-income households. And it artificially suppresses the cost per kWh – removing incentives to save energy and decreasing the incentives for roof-top solar. A deliberate plan.

LG&E has conducted a 20-year stealth strategy to increase the percentage of the cost of utilities in the mandatory Basic Service Charge and lower the percentage of the charge for usage. **In electricity the Basic Service Charge has increased from 12.8% of the bill tin 1998 to 32.78% of the bill under the proposed changes.**

My comparison is as a consumer. I studied my own bill for electricity in 2013 (the last year I had a complete set of monthly bills). Using the same kWhs I consumed in 2013, I calculated the costs of the service charge and the usage charge for the year 1998. In 1998, my electric Basic Service Charge would have been 12.8% of the annual bill. Proposed changes to the charge would have increased this transfer of cost to the Service Charge to make it 32.78% of the annual electric bill.

The transfer of cost from usage to mandatory Basic Service Charge creates an inflexible payment demand that cannot be controlled by the user regardless of usage. Yet, from the testimony of LG&E in the 2018 rate case number 2019-00295, it is clear that low-income household zip codes use less electricity than high-income household zip codes. It is clear to anyone who concerned with racial equity and with anyone who does not want to bottom feed off of low-income people.

There is a chart below that uses the testimony of LG&E in answer to Question 7 of the First Request for Information by the Association of Community Ministries in the case 2018-00295. In addition, I researched the income and ranking of income by zip code for Jefferson County and used the five highest income zip codes and the five lowest income zip codes. I also researched the racial composition of each of the ten zip codes. White affluent households use more electricity than low income Black households. It is a pity that Louisville is so segregated that we can know that fact.

Zip code by top 5 income	Residential Electric Customer	Annualized use kWh per	Average Annual Income by	Population in zip code	Population that is Black	Population that is White
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and bottom 5 income	Account Billings 2017	Residential Electric Customer Accounts	zip code			
40245	159,161	13,947	\$80,634	16,095	3,070	25,434
40241	157,807	12,153	\$67,211	24,421	3,134	23,675
40223	125,263	12,352	\$60,973	21,970	2,129	18,907
40243	59,026	10,648	\$58,3888	8,864	664	9,245
40299	204,074	12,013	\$55,884	31,483	3,531	33,820
40202	20,115	7,769	\$8,495	5,115	3,776	2,730
40203	84,778	8,268	\$13,458	20,837	13,024	6,671
40210	66,783	9,474	\$20,722	16,273	13,629	1,284
40211	111,959	9,776	\$21,906	23,553	21,626	1,116
40212	85,409	10,306	\$23,240	20,307	10,987	6,893

The source of the Residential Electric Customer Account Billings 2017 and Annualized use kWh per Residential Customer Accounts is from the answer to Question Seven from the Association of Community Ministries' First Request for Information in PSC case 2018-00295.

The Source of Average Annual Income by zip code and Population in zip code

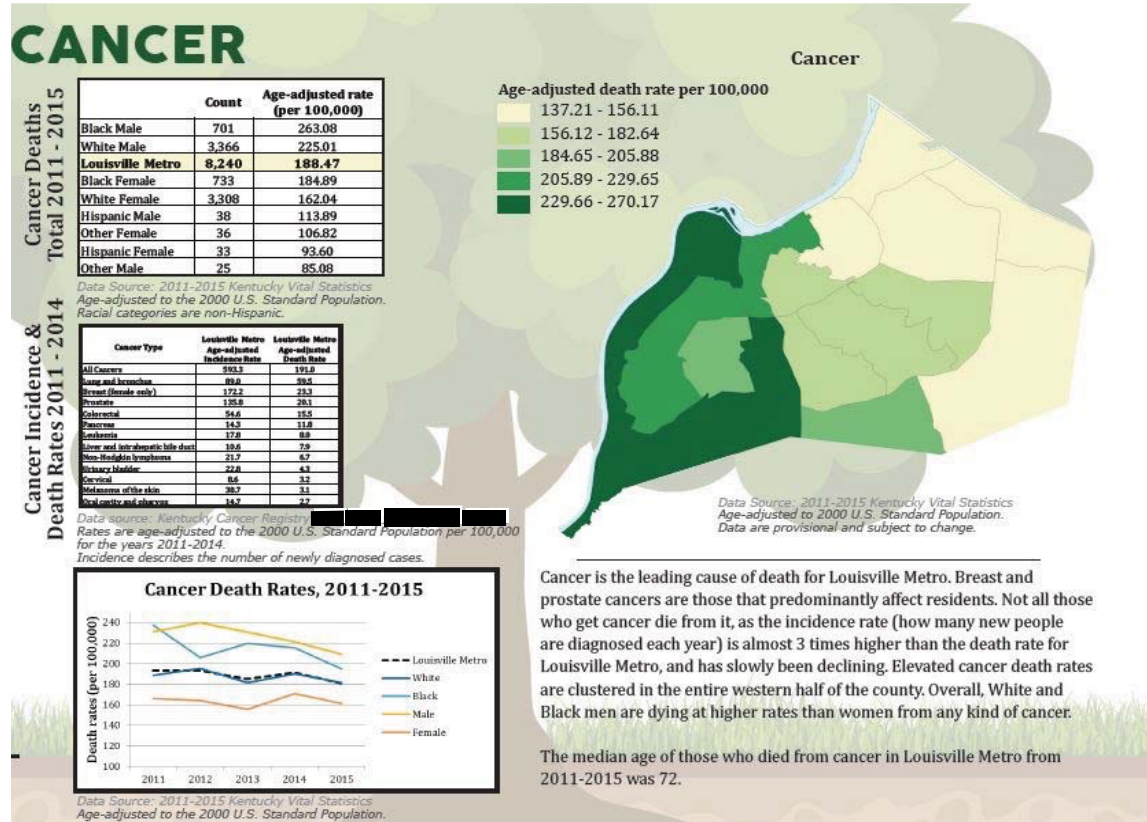
The source for Population that is Black and Population that is White is

Please note that in the list of lowest income zip codes the zip code 40209 was in the original five but its population was only 452 so I skipped over it. But here is the information for zip code 40209:

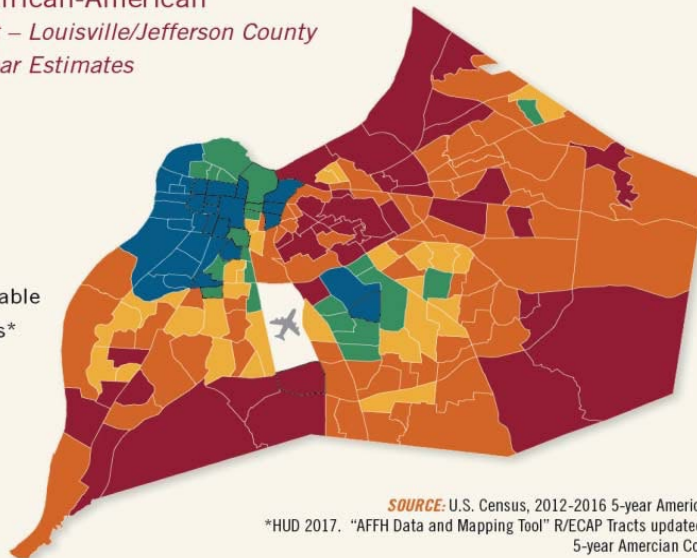
Residential Electric Customer Account Billings 2017 is 1,978; Annualized use kWh per residential Electric Customer Account is 8,635; Average Annual Income is \$20,250; Population that is Black 32; Population that is White 314.

I note the health disparities by race part of which are due to toxic air and soil. And in case you did not know Louisville, you can see the disparate impact by race. Healthful air, water and environment IS a racial issue. It is also an issue by ethnicity, female-headed households and those over 65 with a disability. The negatively affected areas are also tormented by urban heat islands and by utility cut offs by LG&E.

This is relevant to a sensible IRP that provides energy without killing residents- a goal the PSC should also have. The IRP has no plans to improve the areas and most Demand Side Management programs ignore this area. WeCare is oriented to poverty, but not neighborhood.



Map 10: Percentage of Population Identifying as Black or African-American by Census Tract – Louisville/Jefferson County 2016 ACS 5-Year Estimates



SOURCE: U.S. Census, 2012–2016 5-year American Community Survey
*HUD 2017. "AFFH Data and Mapping Tool" R/ECAP Tracts updated to reflect 2009–2013 5-year American Community Survey data.

C. LG&E SNEERS AT THE CITY OF LOUISVILLE AND THE INTERNATIONAL GOALS OF REDUCING DEPENDENCE ON FOSSIL FUELS, THEREBY CREATING A HOMELAND SECURITY DEFICIT.

Louisville government has enacted policies with numeric goals to reduce dependence of fossil fuels. International goals also exist to which the United States of America subscribes. Yet LG&E cannot be bothered even taking time to be dismissive of them, much less address these goals.

As we can see by what has happened internationally and by what happened in Texas with hackers, encouraging roof top solar creates a redundancy and safety net from energy an catastrophe. It is part of good Homeland Security. Proliferation of roof top solar would also lower the environmental catastrophe the proposed IRP will cause.

D. LG&E INTRANSIGENCE AGAINST USING THE U.S. CONSTITUTION MANDATED CENSUS TRACTS UNDERMINES GOOD DATA ON OUTCOMES

LG&E refuses to provide data at a census tract level- and the census is mandated in Article 1 of the U.S. Constitution. The census data is nationally used to track effectiveness of programs and policies. One can only assume that deliberate obfuscation of useful data shows the intention to discriminate and to hide outcomes.

E. DEMAND SIDE MANAGEMENT REQUIRES PUBLIC INPUT WHICH LG&E HAS IGNORED-
VIOLATING K.R.S.278.285

LG&E has ignored the input of the Demand Side Management community committee LG&E convenes. I have been on this committee for years, most recently as the NAACP representative. Despite repeated interest in roof top solar, LG&E never asks the contractor it uses to assess a DSM program to promote roof top solar. There is no law in Kentucky that prevents this.

Other requests go ignored as well- such as data by census tract.

F. THE PUBLIC SERVICE COMMISSION USES A 25-YEAR OLD CASE TO SET THE ASSESSMENT
OF DEMAND SIDE MANAGEMENT EFFICACY- 25 YEAR OLD CASE, NOT LAW, NOT
REGULATION- HOW TROGLODYTE CAN YOU GET

A few things have changed in a quarter century and the power to review and update a 25-year old case is entirely within the PSC. Get to it!!!

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