

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

|                                     |   |            |
|-------------------------------------|---|------------|
| ELECTRONIC 2024 INTEGRATED RESOURCE | ) | CASE NO.   |
| PLAN OF DUKE ENERGY KENTUCKY, INC.  | ) | 2024-00197 |

ORDER

On October 29, 2024, Sierra Club filed a motion to incorporate the record of Case No. 2024-00152<sup>1</sup> into the record of this case number, pursuant to 807 KAR 5:001, Section 11(5). Sierra Club requested the following files be incorporated by reference: (1) Discovery Response: Sierra-DR-01-007(a) Attachment 1 – Confidential version; (2) Discovery Response: Sierra-DR-01-007(a) Attachment 2 – Confidential version; (3) Discovery Response: STAFF-DR-02-008 Attachment – Confidential version; and (4) Duke Energy Kentucky, Inc.’s (Duke Kentucky) forthcoming supplemental discovery response regarding an unsolicited updated supply offer from its lime supplier. Duke Kentucky has not filed a response to Sierra Club’s motion.

Upon motion of a party to a proceeding, or upon the Commission’s own motion, the record of a case in the Commission’s files or any document on file with the Commission may be made a part of the record by “reference only.”<sup>2</sup> Sierra Club argued

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<sup>1</sup> Case No. 2024-00152, *Electronic Application of Duke Energy Kentucky, Inc. for a Certificate of Public Convenience and Necessity to Convert its Wet Flue Gas Desulfurization System from a Quicklime Reagent Process to a Limestone Reagent Handling System at its East Bend Generating Station and for Approval to Amend its Environmental Compliance Plan for Recovery by Environmental Surcharge Mechanism*, (filed July 25, 2024).

<sup>2</sup> 807 KAR 5:001, Section 11(5).

incorporation will “efficiently enable a more thorough and complete evaluation of the Company’s 2024 IRP, without being burdensome, and without prejudice to any party.”<sup>3</sup>

Having considered the motion and being otherwise sufficiently advised, the Commission finds that the Sierra Club has established good cause and that its motion to incorporate Case No. 2024-00152 is granted, in part, and denied, in part. The Commission finds that the fourth request, a forthcoming supplemental discovery response, is not sufficiently specific and was not filed at the time of the present motion. Thus, the Commission denies this particular portion of the motion. The remaining items are incorporated by reference. The Commission agrees that the incorporation by reference of the first three items will increase efficiency.

IT IS THEREFORE ORDERED that:

1. Sierra Club’s motion to incorporate portions of the record in Case No. 2024-00152 is granted, in part, and denied, in part.

2. Sierra Club’s motion to incorporate: (1) Discovery Response: Sierra-DR-01-007(a) Attachment 1 – Confidential version; (2) Discovery Response: Sierra-DR-01-007(a) Attachment 2 – Confidential version; and (3) Discovery Response: STAFF-DR-02-008 Attachment – Confidential version is granted.

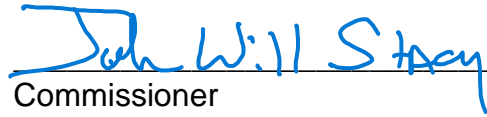
3. Sierra Club’s motion to incorporate (4) Duke Kentucky’s forthcoming supplemental discovery response regarding an unsolicited updated supply offer from its lime supplier is denied.

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<sup>3</sup> Sierra Club’s Motion to Incorporate the Record of Case No. 2024-00152 by Reference Only (filed Oct. 29, 2024) at 6.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Commissioner

  
Commissioner

ATTEST:

  
Executive Director

ENTERED  
DEC 27 2024 AH  
KENTUCKY PUBLIC  
SERVICE COMMISSION

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