

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF KENTUCKY)	
UTILITIES COMPANY AND LOUISVILLE GAS)	CASE NO.
AND ELECTRIC COMPANY FOR CERTIFICATES)	2025-00045
OF PUBLIC CONVENIENCE AND NECESSITY)	
AND SITE COMPATIBILITY CERTIFICATES)	

ORDER

This matter arises upon the motion of the Kentuckians for the Commonwealth (KFTC), Kentucky Solar Energy Society (KSES), Metropolitan Housing Coalition (MHC), and Mountain Association (MA), (jointly, Joint Movants), filed March 17, 2025, for full intervention. As a basis for its motion, Joint Movants stated that they have a special interest in these proceedings not otherwise adequately represented and that they will present issues or develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings.¹

BACKGROUND

Each of the organizations joining this motion has related, though distinct, interests. MHC stated that its members include representatives of low-income households, private and non-profit housing developers, service providers, financial institutions, labor unions, faith-based and neighborhood groups, and other advocacy groups, advocating with a united voice for fair, safe, and affordable housing in the Metro Louisville area.² MHC

¹ Joint Movants' Motion for Intervention (Motion) (filed Mar. 17, 2025) at 1-2.

² Motion at 5-7.

asserted that it has focused on energy costs as part of its overall affordable housing advocacy.³

KFTC stated that its members include over 6,000 members taking service in both KU and LG&E service territories.⁴ KFTC has an office in KU territory.⁵ KFTC also stated that it has been involved with issues affecting low-income residential ratepayers and has supported expert testimony in past rate cases.⁶

KSES argued that its mission is to promote the use of renewable energy resources, energy efficiency, and conservation in Kentucky.⁷ KSES emphasized that it could assist the Commission as to the battery project proposed by LG&E/KU.⁸

MA stated that its energy programs work to strengthen the Eastern Kentucky region's residents, small businesses, local governments, communities, and non-profits by helping to reduce energy costs and consumption, increase energy security, and build resilience in the face of climate change.⁹

LEGAL STANDARD

The Attorney General of the Commonwealth of Kentucky, by and through the Office of Rate Intervention (Attorney General), has the statutory right to intervene in Commission cases pursuant to KRS 367.150(8)(b). The Attorney General was granted

³ Motion at 5-7.

⁴ Motion at 3-4.

⁵ Motion at 3-4.

⁶ Motion at 3-4.

⁷ Motion at 4-5.

⁸ Motion at 4-5.

⁹ Motion at 7-8.

intervention in this matter on March 7, 2025. With limited exception, intervention by all others is permissive and within the sole discretion of the Commission.¹⁰

The regulatory standard for permissive intervention, set forth in 807 KAR 5:001, Section 4, is twofold. Commission regulation 807 KAR 5:001, Section 4(11), requires a person to set forth in the motion to intervene either (1) a special interest in the proceeding that is not otherwise adequately represented in the case, or (2) that intervention is likely to present issues or develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings.

DISCUSSION AND FINDINGS

Based on a review of the pleadings at issue and being otherwise sufficient advised, the Commission finds that Joint Movants, hereinafter called “Joint Intervenors”, are likely to present issues or develop facts that will assist the Commission in considering this matter without unduly complicating or disrupting the proceedings for the reasons discussed below.

Joint Intervenors have demonstrated that they can assist the Commission in presenting issues or developing facts that will assist the Commission in making a decision in this matter. However, the Commission notes Joint Intervenors should abide by the procedural schedule, motion deadlines, and any other Orders or the Commission. In addition, the failure to follow the instructions laid out in its Orders will be viewed as unduly complicating proceedings, without good cause being shown.

Based on the above, the Commission finds that Joint Intervenors should be granted full rights of a party in this proceeding. The Commission directs Joint Intervenors

¹⁰ KRS 164.2807.

to the Commission's July 22, 2021, Order in Case No. 2020-00085¹¹ regarding filings with the Commission.

IT IS HEREBY ORDERED that:

1. Joint Intervenors' motion to intervene is granted.
2. Joint Intervenors are entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order.
3. Joint Intervenors shall comply with all provisions of the Commission's regulations, 807 KAR 5:001, Section 8, related to the service and electronic filing of documents.
4. Joint Intervenors shall adhere to the procedural schedule set forth in the Commission's March 13, 2025 Order and as amended by subsequent Orders.
5. Pursuant to 807 KAR 5:001, Section 8(9), within seven days of service of this Order, Joint Intervenors shall file a written statement with the Commission that:
 - a. Certifies that it, or its agent, possesses the facilities to receive electronic transmissions; and
 - b. Sets forth the electronic mail address to which all electronic notices and messages related to this proceeding shall be served.

¹¹ Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC July 22, 2021), Order (in which the Commission ordered that for case filings made on and after March 16, 2020, filers are NOT required to file the original physical copies of the filings required by 807 KAR 5:001, Section 8).


PUBLIC SERVICE COMMISSION



Chairman



Commissioner



Commissioner

ATTEST:



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