

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN ELECTRONIC EXAMINATION BY THE	)	
PUBLIC SERVICE COMMISSION OF THE	)	
ENVIRONMENTAL SURCHARGE MECHANISM	)	CASE NO.
OF BIG RIVERS ELECTRIC CORPORATION FOR	)	2026-00089
THE SIX-MONTH BILLING PERIOD ENDING	)	
JANUARY 31, 2026	)	

COMMISSION STAFF'S FOURTH REQUEST FOR INFORMATION
TO BIG RIVERS ELECTRIC CORPORATION

Big Rivers Electric Corporation (BREC), pursuant to 807 KAR 5:001, shall file with the Commission an electronic version of the following information. The information requested is due on September 11, 2026. The Commission directs BREC to the Commission's July 22, 2021 Order in Case No. 2020-00085¹ regarding filings with the Commission. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked.

Each response shall include the question to which the response is made and shall include the name of the witness responsible for responding to the questions related to the information provided. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or the

¹ 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).

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.

BREC shall make timely amendment to any prior response if BREC obtains information that indicates the response was incorrect or incomplete when made or, though correct or complete when made, is now incorrect or incomplete in any material respect.

For any request to which BREC fails or refuses to furnish all or part of the requested information, BREC shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

Careful attention shall be given to copied and scanned material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request. When applicable, the requested information shall be separately provided for total company operations and jurisdictional operations. When filing a paper containing personal information, BREC shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read.

1. Refer to BREC's response to Commission Staff's Second Request for Information (Staff's Second Request), Item 5a. The response discusses BREC's membership in Midcontinent Independent System Operator (MISO) and that BREC bids all its generation into the MISO energy markets, and it purchases all its load from the MISO energy market.

a. Because all of BREC's customers are also serviced utilizing BREC's membership in MISO, explain why any customer has environmental compliance costs assigned to it.

b. Refer also to BREC's response to Staff's Second Request, Item 5c, which concludes that there is no additional environmental compliance cost associated with BREC's service to Nucor Corporation (Nucor). Expand BREC's explanation as to why this is the case.

c. For wholesale customers for whom BREC purchased wholesale market power and who pay wholesale market power prices, explain whether these customers are listed in BREC's fuel adjustment clause Form A as "Non-tariff Market Rates Sales to Members" and whether BREC incurs any fuel costs for service to these members.

d. State whether BREC purchases power at a wholesale market price for Nucor and charges Nucor that market rate for the purchased power or whether BREC, under the retail service agreement, charges Nucor a fixed price for the power that may be different than the wholesale power price.

e. In Case No. 2024-00149², the Commission found that BREC had been incorrectly excluding sales to Nucor for purposes of calculating the Fuel Adjustment Clause.³ Explain how Nucor can incur fuel charges and not related environmental compliance charges related to the burning of that fuel.

² See Case No. 2024-00149 *An Electronic Examination of the Application of the Fuel Adjustment Clause of Big Rivers Electric Corporation from May 1, 2023 Through October 31, 2023* (filed Aug 2, 2024).

³ Case No. 2024-00149, *An Electronic Examination of the Application of the Fuel Adjustment Clause of Big Rivers Electric Corporation from May 1, 2023 through October 31, 2023* (Ky PSC May 29, 2026) at 16–17. The Commission's Order stated that, "There is no debate that BREC is selling power to

2. Refer to BREC's response to Staff's Second Request, Item 9. Provide the capital and operating & maintenance (O&M) expense that make up the Environmental Surcharge for the 6-month review period ending January 31, 2026.

3. Refer to BREC's response to Commission Staff's First Request for Information, Item 5c. Confirm that, during the review period, BREC's customers paid \$991,552 in environmental surcharges that would have been attributable to Nucor, absent the contract provisions. If this cannot be confirmed, explain and provide the correct amount.

4. Provide the net margins that Nucor provided to BREC during the review period.


Justin McNeil
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Public Service Commission
211 Sower Blvd.
Frankfort, KY 40601-8294

DATED AUG 26 2026

cc: Parties of Record

Nucor, versus acquiring the power on the market and passing those costs directly onto the customer. Here, BREC is either generating or purchasing power to serve its native load, and Nucor is part of BREC's native load. Commission regulation 807 KAR 5:056 Section 1(5)(c)-(f) lists what can be excluded from sales when calculating the FAC, none of which apply to the sales to Nucor. The sales to Nucor fall under the regulatory definition of sales and should be included in the calculation of BREC's FAC."

Service List for Case 2026-00089

* Jackson Purchase Energy Corporation
Jackson Purchase Energy Corporation
6525 US Highway 60 W
Paducah, KY 42001

* Kenergy Corp.
Kenergy Corp.
6402 Old Corydon Road
P. O. Box 18
Henderson, KY 42419

* Meade County R.E.C.C.
Meade County R.E.C.C.
P. O. Box 489
Brandenburg, KY 40108-0489

* Big Rivers Electric Corporation
710 West 2nd Street
P. O. Box 20015
Owensboro, KY 42304