

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC TARIFF FILING OF BIG RIVERS	)	
ELECTRIC CORPORATION OF A RETAIL	)	CASE NO.
ELECTRIC SERVICE AGREEMENT WITH	)	2026-00115
JUSTIFIED DATAPOWER LLC, A SUBSIDIARY	)	
OF TERAWULF INC.	)	

ORDER

On April 14, 2026, Big Rivers Electric Corporation (BREC) filed, through the Commission's electronic Tariff Filing System, a proposed Retail Electric Service Agreement (RESA) between BREC, Kenergy Corp. (Kenergy), and Justified DataPower LLC, a subsidiary of TeraWulf Inc. (TeraWulf), for service to TeraWulf's proposed data center campus to be located at the former Century Aluminum smelter site in Hancock County, Kentucky.¹ By Order dated May 12, 2026, the Commission suspended the proposed RESA for five months, up to and including October 13, 2026, and established a procedural schedule for the processing of this matter.² The procedural schedule was amended by Order dated June 17, 2026,³ to revise the discovery and testimony deadlines. The June 17, 2026, Order did not modify the deadline for a party to request a hearing or request that the case be submitted for a decision based on the record. The

¹ BREC Contract Filing (received Apr. 14, 2026. Entered into the record of the present case May 1, 2026).

² Order (Ky. PSC May 12, 2026).

³ Order (Ky. PSC June 17, 2026).

Commission finds that the May 12, 2026 procedural schedule should be amended to facilitate the efficient processing of this matter.

The Commission, on its own motion, provides notice to all parties that a public comment meeting will be held on July 27, 2026, at 5 p.m. Central Daylight Time at Hancock County Public Library- Hawesville at 1210 Madison St. Hawesville, KY 42348 for the purpose of receiving public comments on this proceeding. A press release may be found on the Kentucky Public Service Commission's website at <https://psc.ky.gov/Home/Press> prior to the comment meeting.

The Commission finds that BREC should ensure that a representative is present at the public meeting. The remaining parties are encouraged to provide representatives at the public meeting. Also, BREC should publish notice of the public meeting in accordance with 807 KAR 5:001, Section 9(2). However, due to the time constraints associated with the scheduling of the public comment meeting, the Commission, on its own motion, grants a deviation from 807 KAR 5:001, Section 9(2)(b)(2). BREC should provide notice as prescribed in 807 KAR 5:001, Section 9(2), before the public comment meeting and as close as practicable to the minimum seven-day publication requirements.

In addition to the opportunity to provide public comments at the meeting scheduled in this Order, written public comments may be submitted to the Commission at any time during the consideration of this case. Written public comments should include the commenter's name and address and reference Case No. 2026-00115. Written public comments may be mailed to the Kentucky Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky 40601, or emailed to psc.comment@ky.gov. Information

regarding the submission of public comments may be located on the Kentucky Public Service Commission's website homepage, <https://psc.ky.gov/>, at "Comment on a Case."

IT IS THEREFORE ORDERED that:

1 The May 12, 2026 procedural schedule, as amended by Order dated June 17, 2026, is amended.

2 BREC or any Intervenor shall file a request for either a hearing or that the case be submitted for decision based on the record no later than July 28, 2026.

3 A local public comment meeting for the purpose of hearing public comments regarding issues relevant to this matter shall be held on July 27, 2026, at 5 p.m. Central Daylight Time, at the Hancock County Public Library- Hawesville at 1210 Madison St. Hawesville, KY 42348.

4 No evidence shall be taken at the public comment meeting.

5 BREC shall provide written notice of the time and place of the public comment meeting pursuant to 807 KAR 5:001, Section 9(2).

6 A deviation from 807 KAR 5:001, Section 9(2)(b)(2) is granted. BREC shall provide notice as prescribed in 807 KAR 5:001, Section 9(2) before the public comment meeting and as close as practicable to the minimum seven-day publication requirements.

7 Within seven days after publication, BREC shall file proof of publication in the file.

8 BREC shall ensure that a representative is present at the public comment meeting.

9 All provisions of the Commission's May 12, 2026 Order and June 17, 2026 Order that are in conflict with the provisions of this Order are vacated, and all other provisions not in conflict with the provisions of this Order shall remain in effect.

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Entered on this 10th day of July, 2026.

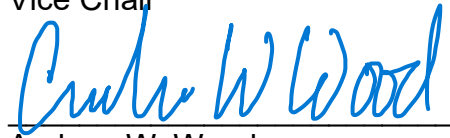
PUBLIC SERVICE COMMISSION



Angie Hatton
Chair



Mary Pat Regan
Vice Chair



Andrew W. Wood
Commissioner



Barry L. Mayfield
Commissioner

*by AH
w/ permission*

ATTEST:



Linda C. Bridwell, PE
Executive Director

Service List for 2026-00115

* Angela M Goad
Assistant Attorney General
Office of the Attorney General Office of Rate Intervention
700 Capitol Avenue
Suite 20
Frankfort, KY 40601-8204

* Jody Kyler Cohn
Boehm, Kurtz & Lowry
425 Walnut Street
Suite 2400
Cincinnati, OH 45202

* John G Horne, II
Office of the Attorney General Office of Rate Intervention
700 Capitol Avenue
Suite 20
Frankfort, KY 40601-8204

* Honorable Kurt J Boehm
Attorney at Law
Boehm, Kurtz & Lowry
425 Walnut Street
Suite 2400
Cincinnati, OH 45202

* Lawrence W Cook
Assistant Attorney General
Office of the Attorney General Office of Rate Intervention
700 Capitol Avenue
Suite 20
Frankfort, KY 40601-8204

* Michael West
Office of the Attorney General Office of Rate Intervention
700 Capitol Avenue
Suite 20
Frankfort, KY 40601-8204

* Honorable Michael L Kurtz
Attorney at Law
Boehm, Kurtz & Lowry
425 Walnut Street
Suite 2400
Cincinnati, OH 45202

* Denotes served by Email

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

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

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

* Toland Lacy
Office of the Attorney General
700 Capital Avenue
Frankfort, KY 40601

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