

1 COMMONWEALTH OF KENTUCKY
2 BEFORE THE PUBLIC SERVICE COMMISSION OF KENTUCKY

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3 In the Matter of:

PUBLIC SERVICE
COMMISSION

4 APPLICATION OF BIG RIVERS ELECTRIC)
5 CORPORATION FOR APPROVAL TO TRANSFER)
6 FUNCTIONAL CONTROL OF ITS TRANSMISSION)
7 SYSTEM TO MIDWEST INDEPENDENT)
8 TRANSMISSION SYSTEM OPERATOR, INC.)

CASE NO.
2010-00043

9 **MOTION OF BIG RIVERS ELECTRIC CORPORATION TO BE RELIEVED**
10 **OF REPORTING REQUIREMENT**

11 1. Big Rivers Electric Corporation (“Big Rivers”) respectfully moves the
12 Kentucky Public Service Commission (“Commission”) for an order relieving Big
13 Rivers of the obligation to file an annual report describing its current evaluation of
14 available options for complying with the North American Electric Reliability
15 Corporation’s (“NERC’s”) contingency reserve requirement and its review of the
16 short-term and long-term costs and benefits of continued membership in the
17 Midcontinent Independent System Operator, Inc. (“MISO”). In support of this
18 motion, Big Rivers states as follows:

19 2. In its November 1, 2010, Order in this matter, the Commission granted
20 Big Rivers’ request to transfer functional control of its transmission system to
21 MISO, and found that joining MISO was Big Rivers’ only economically feasible
22 alternative for complying with NERC’s contingency reserve requirement.¹
23 However, the Commission was concerned about the potential that Big Rivers would
24 incur future costs associated with MISO transmission projects that could outweigh

¹ November 1, 2010, Order at p. 7.

1 the benefits of its MISO membership.² Because of the potential costs of these MISO
2 Transmission Expansion Plan (“MTEP”) projects and Multi-Value Projects (“MVP”),
3 and as a condition to its approval of Big Rivers’ transfer of functional control of its
4 transmission system to MISO, the Commission required Big Rivers to prepare an
5 annual report evaluating its options for complying with NERC’s contingency reserve
6 requirement and analyzing the costs and benefits of continued MISO membership.³

7 3. Big Rivers first noted in its annual compliance report filed in this case
8 in 2014, that, as a result of the termination of the agreements under which Big
9 Rivers supplied wholesale power to Kenergy Corp. for service to two aluminum
10 smelters and the termination of a MISO to Tennessee Valley Authority (“TVA”)
11 transmission reservation, Big Rivers would no longer be receiving cost allocations
12 for the MTEP and MVP projects. Big Rivers has not received MTEP or MVP cost
13 allocations since 2015 and will not receive such cost allocations going forward.

14 4. Additionally, as Big Rivers has noted in each annual compliance report
15 filed in this case, Big Rivers’ options for satisfying NERC’s contingency reserve
16 requirement are virtually unchanged since its analysis filed in this case in 2010.
17 Big Rivers will continue to evaluate its compliance options; however, Big Rivers
18 does not anticipate any pertinent change in its compliance options in the near
19 future. As such, and given that the termination of the smelter contracts and the
20 MISO to TVA transmission reservation obviated the cost allocation risk that gave
21 rise to the reporting requirement, Big Rivers believes the annual compliance reports

² See *id.* at p. 8.

³ See *id.* at p. 10, Finding No. 2.

1 required by Finding No. 2 of the Commission's November 1, 2010, Order are no
2 longer meaningful. Big Rivers therefore requests that it be relieved of its obligation
3 to file such reports.

4 WHEREFORE, Big Rivers respectfully requests that the Commission enter
5 an order relieving Big Rivers of the obligation to file the annual reports required by
6 Finding No. 2 of the Commission November 1, 2010, Order in this matter.

7 On this the 27th day of September, 2018.

8 Respectfully submitted,

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