

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF KENTUCKY	)	
UTILITIES COMPANY FOR APPROVAL OF ITS	)	CASE NO.
2025 COMPLIANCE PLAN FOR RECOVERY BY	)	2025-00105
ENVIRONMENTAL SURCHARGE	)	

**MOTION OF KENTUCKY UTILITIES COMPANY
TO CONSOLIDATE PROCEEDINGS, INCORPORATE BY
REFERENCE, AND GRANT INTERVENTION**

Kentucky Utilities Company (“KU”) respectfully moves the Kentucky Public Service Commission (“Commission”), following the Commission’s determination that KU’s application in Case No. 2025-00105 is administratively complete, to enter an order consolidating this proceeding with and into Case No. 2025-00045, incorporating by reference the record of evidence in this proceeding into the record of Case No. 2025-00045, and granting intervention in this proceeding to the parties the Commission previously granted intervention in Case No. 2025-00045 if granting such intervention is necessary to effect KU’s requested case consolidation.¹

Louisville Gas and Electric Company (“LG&E”), which is the other applicant in Case No. 2025-00045 but is not a party to this proceeding, has authorized counsel for KU to state that it does not object to KU’s motion. (Collectively, KU and LG&E are the “Companies.”)

In support of these motions, KU respectfully states:

1. Pursuant to 807 KAR 5:001 Section 4(14), KU moves the Commission to issue an order consolidating this case (Case No. 2025-00105), with and into Case No. 2025-00045. KU’s decision to file its application in this proceeding separately from the Companies’ certificate of

¹ *Electronic Joint Application of Kentucky Utilities Company and Louisville Gas and Electric Company for Certificates of Public Convenience and Necessity and Site Compatibility Certificates*, Case No. 2025-00045.

public convenience and necessity (“CPCN”) application in Case No. 2025-00045 was a response to the new order issuance deadlines imposed by KRS 278.019(1), which the Kentucky General Assembly enacted last year.² KRS 278.019(1) gives the Commission eight months to issue a final order on CPCN applications.³ In light of these new deadlines, KU concluded that concurrently filing this application—which, per KRS 278.183(2), must be approved or denied by the Commission within six months of submittal—would effectively deprive the Commission of the full eight months provided under KRS 278.019(1) regarding the full array of requests the Companies made in Case No. 2025-00045. Therefore, the Companies determined that filing the CPCN application first and seeking to consolidate the two cases would provide the Commission, the Companies, and intervenors with the best opportunity to fully develop a record for the Commission’s ultimate decision at a reasonable pace.

2. In the past, the Commission has approved motions to consolidate cases in instances where there are common issues in the proceedings and where consolidation would best serve the interests of administrative efficiency, including the Companies’ 2022 CPCN case.⁴ This application, which relies on the same basic facts, some of the same record, and the same operative reasoning as Case No. 2025-00045, is a complementary piece of that case, which KU would have filed as part of a single, combined application if not for the different statutory timelines. Indeed, the Company’s application in this case depends almost entirely on the Commission’s granting a CPCN to construct the Ghent 2 SCR in Case No. 2025-00045. In addition, a consolidated case will provide an opportunity for KU and all other parties involved to present their positions on all

² See 2024 Ky. Acts ch. 172 sec. 2 (April 12, 2024).

³ KRS 278.019(1).

⁴ See, e.g., *Electronic Joint Application of Kentucky Utilities Company and Louisville Gas and Electric Company for Approval of Seven Fossil Fuel-Fired Generating Unit Retirements*, Case No. 2023-00122, Order (Ky. PSC May 16, 2023) (consolidating Case Nos. 2023-00122 and 2022-00402, the latter of which was the Companies’ 2022 CPCN case).

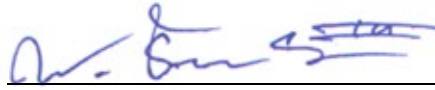
relevant issues in the proceedings in a more efficient manner. For these reasons, KU believes consolidation will serve the interests of administrative efficiency and will not unduly burden or prejudice the Commission, KU, or any other party.

3. For all the reasons given above, pursuant to 807 KAR 5:001 Section 11(5), KU moves the Commission to issue an order incorporating by reference the record of evidence in this proceeding into Case No. 2025-00045. Relatedly, KU moves the Commission to issue an order granting intervention in this proceeding to all parties who are intervenors in Case No. 2025-00045, but only if granting such intervention is necessary to effect KU's requested case consolidation.

WHEREFORE, Kentucky Utilities Company respectfully requests the Kentucky Public Service Commission, following the Commission's determination that KU's application is administratively complete, to enter an order consolidating this proceeding with and into Case No. 2025-00045, incorporating by reference the record of evidence in this proceeding as part of the record in Case No. 2025-00045, and granting intervention in this proceeding to the parties the Commission previously granted intervention in Case No. 2025-00045 if granting such intervention is necessary to effect KU's requested case consolidation.

Dated: April 30, 2025

Respectfully submitted,



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CERTIFICATE OF COMPLIANCE

In accordance with 807 KAR 5:001, Section 8 as modified by the Commission's Order of July 22, 2021 in Case No. 2020-00085 (Electronic Emergency Docket Related to the Novel Coronavirus COVID-19), this is to certify that the electronic filing has been transmitted to the Commission on April 30, 2025; and that there are currently no parties in this proceeding that the Commission has excused from participation by electronic means.



Counsel for Kentucky Utilities Company