

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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COMMISSION

In the Matter of:

INTERCONNECTION AND NET METERING)
GUIDELINES FOR RETAIL ELECTRIC) ADMINISTRATIVE
SUPPLIERS AND QUALIFYING) CASE NO. 2008-00169
CUSTOMER-OWNED GENERATORS)

**MOTION OF APPALACHIA-SCIENCE IN THE PUBLIC INTEREST
("ASPI") FOR FULL INTERVENTION**

Comes Appalachia-Science in the Public Interest (ASPI), by counsel, and moves to intervene in the above-captioned proceeding as a full party. Pursuant to 807 KAR 5:001 Section 3(8), ASPI respectfully requests that it be accorded the rights and privileges of a full intervenor in this proceeding, and in support thereof, states as follows:

1. Intervention in formal proceedings before the Kentucky Public Service Commission (Commission) is governed by 807 Kentucky Administrative Regulation (KAR) 5:001 Section 3(8), which provides in relevant part that:

In any formal proceeding, any person who wishes to become a party to a proceeding before the Commission may by timely motion request that he be granted leave to intervene. Such motion shall include his name and address and the name and address of any party he represents and in what capacity he is employed by such party.

807 KAR 5:001 Section 3(8).

2. This proceeding, which is an administrative case initiated by motion of the Commission on May 30, 2008 in order to establish interconnection and net metering guidelines as directed by the General Assembly in Senate Bill 83 (2008), is a "formal proceeding" within the meaning of 807 KAR 5:001 Section 3(8).

3. Appalachia-Science in the Public Interest is a non-profit corporation incorporated under the laws of the Commonwealth of Kentucky, with its principal office on 50 Lair Street in Mount Vernon, Rockcastle County, Kentucky, 40456. Among the projects of ASPI is the “Kentucky Solar Partnership,” which is coordinated by Andrew S. McDonald, a staff person and representative of ASPI residing at 2235 Gregory Woods Road, Frankfort, Franklin County, Kentucky, 40601. ASPI’s mission is to work for healthy land and sustainable communities in Kentucky and Central Appalachia.

4. This motion for full intervention is timely, within the meaning of 807 KAR 5:001 Section 3(8). The Commission Order entered on May 30, 2008 invited participation by individual or groups “with a special interest in net metering, either by intervening or filing suggested guidelines or comments[,]” and established a period of twenty days from the date of the Order in which motions for intervention should be filed. This motion is filed within 20 days of the Order and is thus timely.

5. No schedule has yet been established for the case, other than an informal conference on June 25, 2008. ASPI will participate in that informal conference, so there is no prejudice to any party from the grant of full intervention rights to ASPI.

6. The grant of intervention to a person pursuant to 807 KAR 5:001 Section 3(8) is within the sound discretion of the Commission, and requires that the person “specify his interest in the proceeding.”

7. As noted above, ASPI's mission is to work for healthy land and sustainable communities in Kentucky and Central Appalachia. ASPI has been working for 31 years to promote renewable energy in Kentucky. ASPI's office in Mount Vernon, which is served by Kentucky Utilities, is host to the Commonwealth's first net-metered photovoltaic (PV) system, a 2.7 kW array.

8. Eight years ago, the Kentucky Solar Partnership (KSP) was founded by ASPI to become a participant in the U.S. Department of Energy's Million Solar Roofs Initiative, and since that time, through the KSP, ASPI has worked to identify the barriers to the expanded use of solar energy in Kentucky and to remove those barriers.

9. When KSP was formed it identified net metering as a key policy to support development of the solar PV industry in Kentucky. KSP efforts to establish net metering in the state included working with Kentucky Utilities on their initial pilot net metering program, which used the ASPI facility for the first net-metered PV system in the Commonwealth. After installing this demonstration project, APSI worked with others through the KSP to advocate for passage of the statewide net metering law, which was passed in 2004. Since that time KSP has worked to educate the public about solar energy and develop the market, to train and provide support to solar installers, and to work for policies and incentives that will support the expanded use of solar energy and other renewable energies. KSP helped to draft SB 83 and provided language intended to improve the state's laws related to net metering and interconnection.

10. In 2007, the KSP formed the Kentucky Solar Energy Society (KySES), a membership organization that is a chapter of the American Solar Energy Society. KySES

participates in regional and national conferences on solar energy and work with national organizations on policy-related issues.

11. ASPI believes that the development of Kentucky's renewable energy resources is critical to the future well being of the Commonwealth, and has many sources of information outside the state that can help to guide the Commission towards the development of interconnection and net metering guidelines that will move Kentucky towards this goal. Many states have preceded Kentucky along the path of developing their renewable energy resources and we thus have the benefit of learning from the experiences of other states. ASPI's research into the policies and experiences of other states, and connections with organizations in these other states, gives ASPI a valuable perspective in the present case before the PSC. As the home of the Kentucky Solar Energy Society, and with ASPI's daily experience working with people and businesses interested in using solar energy, it can share the interests and concerns of those who want to see the use of solar energy become more commonplace in Kentucky.

12. Existing parties to the proceeding do not adequately represent the interests of ASPI and its members. No current party represents the specific interests of utility ratepayers who have experience with and an interest in expansion of net metering, and the general statutory authority and interest of the Attorney General's office is distinct from the specific interests of ASPI, a non-governmental nonprofit organization.

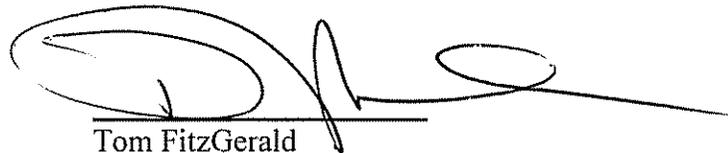
13. 807 KAR 5:001 Section 1(8)(b) provides in the alternative that the Commission shall grant full intervention status if the person "has a special interests in the proceeding which is not otherwise adequately represented" or "that full intervention by

party (sic) is likely to present issues or to develop facts that assist the commission in fully considering the matter without unduly complicating or disrupting the proceedings[.]”

The special interests of ASPI and its members are squarely within the ambit of the Commission’s jurisdiction and this proceeding and are not adequately represented, as discussed above. Alternatively, full intervention should be granted since the participation of ASPI would assist the commission in fully considering the subject matter of this administrative case without unduly complicating or disrupting the proceeding.

WHEREFORE, for the reasons stated above, and because the special interests of ASPI and its member ratepayers are not adequately represented by existing parties, and additionally in order to provide the Commission with information and direct experience that will assist the Commission in fully considering the interconnection and net metering issues raised by SB 83, Movant ASPI requests, on behalf of its member ratepayers, that it be accorded the status of full Intervenor, and that each party to the case be directed to serve upon Andrew McDonald as representative of ASPI, and the undersigned counsel, all pleadings and information requests that are filed in this case.

Respectfully submitted,



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Counsel for Movant for Intervention
Appalachia-Science In The Public
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CERTIFICATE OF SERVICE

I hereby certify that the original and 10 copies of this Motion have been filed with the Commission and that a true and correct copy of the Motion has been served by first-class mail upon the Service List by mailing same to the following individuals this 19th day of June, 2008:

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