

# Commonwealth of Kentucky Energy Planning and Inventory Commission Form 1: Notice of Proposed Retirement of Fossil Fuel-Fired Electric Generating Plant

## Instructions:

### 1) Background

Pursuant to KRS 164.2807 (the Act), Kentucky law requires that utilities (as defined in KRS 278.010) not retire any existing coal, oil, or natural gas-fired electric generating plant (including any unit within the plant), prior to submitting notice to, and receiving findings from, the Executive Committee of the Commonwealth of Kentucky Energy Planning and Inventory Commission (EPIC).

### 2) Notice to EPIC

In accordance with Section 1, subsection (7)(b) of the Act, a utility proposing to retire a fossil fuel-fired electric generating plant or unit must submit a notice of proposed retirement (the Notice requirement) to EPIC's Executive Committee (EPIC EC) at least 180 days prior to filing a retirement application with the Kentucky Public Service Commission (PSC). Notice shall be furnished via electronic mail to the EPIC Executive Director (EPIC ED).

The Notice requirement of the Act shall be considered satisfied upon the EPIC ED reciprocating a receipt of confirmation that EPIC is in possession of a complete application document package from the submitting utility (submitting entity). A complete application document package shall comprise:

- a. A cover letter addressed to the EPIC ED that:
  - i. Formally declares the submitting entity's notice of intent to retire an existing coal, oil, or natural gas-fired electric generating plant or unit,
  - ii. Provides a comprehensive explanation of reason for desired unit retirement, and
  - iii. Identifies whether the unit is subject to an RTO/ISO requirement for Generator Deactivation Notice or Notice of Generator Retirement.

- b. A completed EPIC Form 1 - Notice of Proposed Retirement of Fossil Fuel-Fired Electric Generating Plant.
  - i. Separate cover letters and forms shall be submitted for each proposed generating unit retirement.
- c. Addenda, as appropriate, and including but not limited to:
  - i. System Impact Statement, including but not limited to:
    - 1. Plant/unit dispatch history,
    - 2. Compliance Plan: Demonstration of and/or plan for compliance with KRS 278.262 and KRS 278.264 (collectively '2023 Senate Bill 4' requirements),
    - 3. EEA Declaration: Instances when the subject generating plant/unit was dispatched in support of system reliability during an Energy Emergency Alert event,
  - ii. Economic Impact Statement, including but not limited to:
    - 1. Direct & Indirect Employment Impacts: Including proposal on proactive mitigation, where possible,
    - 2. Supply Chain impacts: Including related fuel, reagents, mechanical component, etc.
    - 3. Other Local Economic Impacts: Including mitigation plans,
  - iii. Any information the submitting entity believes will assist with the EPIC EC review of the proposed activity.

### **3) EPIC Executive Committee Review Process**

Upon receipt of Notice, the EPIC EC shall:

- a. Reciprocate notice of receipt to the submitting entity, confirming receipt of a complete application document package (at this time, the Notice requirements of the Act shall be determined to be complete),

- b. In accordance with Section 1, subsection (7)(e) of the Act, provide public notice of the proposed retirement, solicit public comment, and schedule a public hearing to occur within ninety (90) days of EPIC EC's receipt of Notice, held in the county where the generating asset retirement is proposed to occur, and,
- c. Complete a Reliability Impact Study, having parameters and scope enumerated in Section 1, subsection (7)(f) of the Act:
  - i. The Reliability Impact Study shall be conducted, and final report of findings issued, within one-hundred thirty-five (135) days of EPIC's receipt of Notice from the submitting entity.

#### **4) Additional Information Requests**

Following receipt of Notice, EPIC staff - working at the direction of the EPIC EC - may request additional information, data, records, or other materials not included in the initial Notice filing, but determined necessary by the EPIC EC to allow for the completion of the Reliability Impact Study:

- a. Additional Information Requests may include, but may not be limited to:
  - i. PSC Submission Data: All information, data, records, or other filing materials required by, and to be subsequently provided to, the PSC as part of the PSC retirement application:
    - 1. Including methods and results of internal modelling and analysis for resource adequacy of the submitting entity's electric power system (pre- and post-proposed retirement), such as LOLE, LOLH, EUE, reserve margin, etc.
  - ii. RTO/ISO Submission Data: All information, data, records, or other filing materials required by and provided to the RTO/ISO of which the submitting entity may be a Market Participant, and which may be required by the RTO/ISO to complete a Generator Retirement Study for its electric power system.

- iii. Capacity Replacement Plan: A detailed analysis of, and proposed introduction plan for, necessary capacity additions to ensure no diminution in electric power system resource adequacy. Such a plan should include demonstration of the sufficiency of proposed capacity additions, pursuant to KRS 278.262 and KRS 278.264, in addition to estimated costs, implementation schedules, etc.
- b. Pursuant to Section 1, subsection (7)(c)(1) of the Act, the submitting entity shall respond to all such requests within a reasonable timeframe as established by the EPIC EC or EPIC ED.
- c. Submitting entities are entitled to data privacy and security as prescribed in Section 1, subsection (7)(c) of the Act.

# EPIC Form 1 - Notice of Proposed Retirement of Fossil Fuel-Fired Electric Generating Plant

Version 2025.01.29

## Submitting Entity's Information:

In accordance with KRS 164.2807 Section 1, subsection (7)(b),

\_\_\_\_\_ (“Submitting Entity”) gives Notice to the Commonwealth of Kentucky Energy Planning and Inventory Commission of its intent to retire an existing coal, oil, or natural gas-fired electric generating plant or unit.

Submitting Entity's percent ownership stake in generating plant/unit: [       ] %

Submitting Entity's Business Address:

Submitting Entity's Ownership Information:

Submitting Entity's Jurisdiction of Organization/Incorporation:

Submitting Entity Authorized Representative Contact information:

(Person 1)

(Person 2)

**Name:**

**Name:**

**Title:**

**Title:**

**Address:**

**Address:**

**Email:**

**Email:**

**Telephone:**

**Telephone:**

**Identity of Generating Plant/Unit Subject to Notice of Intent to Retire:**

Location (Address):

Unit Name: \_\_\_\_\_ (“Unit”)

Nameplate Rating in MW: \_\_\_\_\_

Primary Fuel: \_\_\_\_\_

Back-up Fuel: \_\_\_\_\_

RTO/ISO Market Participation: \_\_\_\_\_

**Desired Date of Retirement:** \_\_\_\_\_