

Kentucky's largest utility proposes more gas-fired power plants

Delay retirement of coal-fired unit

BY LIAM NIEMEYER
KENTUCKY LANTERN

Kentucky's largest utility is proposing to delay the retirement of a coal-fired power plant unit and move forward with building billions of dollars of gas-fired power generation as part of a proposed settlement agreement before the state utility regulator.

The proposed settlement offered by Louisville Gas and Electric and Kentucky Utilities (LG&E and KU) this week would build two new natural gas-fired power plants, each with a capacity of 645 megawatts, costing a total of more than \$2.7 billion. Mill Creek 2, one of four coal-fired units at the utility's Mill Creek Generating Station, would have its planned retirement delayed from 2027 until one of the new gas-fired power plants is operational in 2031.

The settlement is a part of a months-long case LG&E and KU brought before the Kentucky Public Service Commission requesting to build more fossil fuel-fired power generation that the utility says is needed to meet "unprecedented" projected energy demand driven by an influx of data centers.

"As Kentucky's largest regulated utilities, we have an obligation to serve all customers and new economic development load in the lowest reasonable cost manner. This agreement reflects the importance of that role and the critical needs addressed in our long-term generation investment plans," said LG&E and KU president John Crockett in a released statement.

The proposed settlement — which the commission could approve,

deny or change — was agreed to by groups including Kentucky Industrial Utility Customers representing energy-intensive manufacturers; the Kentucky Coal Association; the Southern Renewable Energy Association; and Republican Kentucky Attorney General Russell Coleman, who praised the settlement as promoting "affordable and reliable energy for Kentucky families."

"This agreement taps into Kentucky's abundant natural resources and our 'all-of-the-above' energy strategy to power the commonwealth's bright future," said Coleman in a statement. "By securing our affordable energy future, we've also kept our commonwealth open for new business investment, job creation and economic growth."

Coleman also touted the settlement for proposing to partially and temporarily offset the

costs of one of the proposed gas-fired plants through revenues associated with data centers.

However, intervenors in the case representing affordable housing advocates in Louisville, environmental stakeholders and others lambasted the settlement as saddling Kentuckians with billions of dollars of "costly, polluting infrastructure based on hypothetical future demand."

Byron Gary, an attorney for the environmental legal group Kentucky Resources Council representing the intervenors, in a statement said the settlement "prioritizes corporate interests over affordability, public health, and climate action."

Tony Curtis, the executive of the Metropolitan Housing Coalition in Louisville, one of the intervenors opposed to the settlement, in a statement said the "risk and cost" of building

two new gas-fired power plants based on "speculative need is not in the best interest of ratepayers, especially low-and fixed-income residents."

Curtis said data centers driving the energy demand, not ratepayers, should bear the risk with proposed gas-fired generation.

Intervenors critical of the proposed settlement also stated they were disappointed in local governments for Louisville and Lexington not advocating for each cities' goals to mitigate climate change. The two cities' leaders agreed to not oppose the proposed settlement. A spokesperson for Louisville Mayor Craig Greenberg did not provide a response to emailed questions about the proposed settlement.

Susan Straub, a spokesperson for Lexington Mayor Linda Gorton, in an emailed statement said the city was "not comfortable

with the level of additional power generation permitted in the settlement." But the city did support other aspects of it, such LG&E and KU removing an additional request to build a utility-scale battery storage system.

An influx of prospective data centers, some to power artificial intelligence services, has created a projected surge of demand for electricity across the country, though it's unclear whether a number of proposed data centers will be built. Data centers have also driven an increase in electricity costs for ratepayers.

The Kentucky Public Service Commission will begin a public hearing on LG&E and KU's case and the proposed settlement Aug. 4 at 9 a.m. ET at its Frankfort office. The hearing will be broadcasted live on the agency's YouTube channel.

GSA

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of GSA's tenure at UK. In 2020, GSA students and staff worked remotely, with students in their own homes. 2021 brought a hybrid model where students came to campus, but participated in classes virtually from their residence hall rooms.

GSA underwent a major evolution in 2022, adding a second three-week session to the total program, doubling the number of students served. In the six years UK hosted GSA, including 2020, 2,800 high school sophomores and juniors lived and learned on the university's campus.

"Our years at UK saw constant change," said Covault, who holds bachelor's degrees in music performance and arts administration from UK. "The university's ability to be supportive throughout those shifts was invaluable."

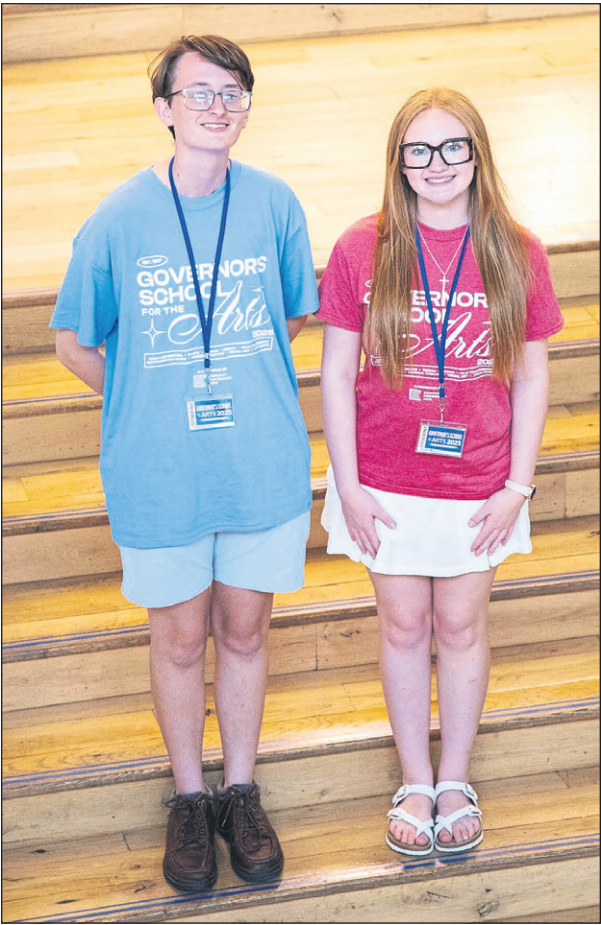
The Governor's School for the Arts is a program for talented high school sophomores and juniors in nine different arts disciplines: creative writing, dance, design, drama, film and photography, instrumental music, musical theater, visual art, and vocal music. Students are selected by audition and come from all over Kentucky.

GSA held its first session in 1987 and, until 2019, it had never been hosted at the University of Kentucky.

"I had assumed we had been hosting it," UK College of Fine Arts Dean Mark Shanda told the Lexington Herald-Leader in 2019. "But we had not. So, I aggressively worked with the president's and provost's offices to put together a proposal for UK to become the host."

Covault said from the moment the partnership was announced during a 2019 press conference in Holmes Hall, UK "rolled out the blue carpet" for GSA.

"We felt very celebrated and seen by UK," Covault said. "I'm also grateful we've been able to share stories of so many GSA alumni, staff and faculty who have also called UK home over the years, either as



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UK alumni or faculty.

"The amount of cross-over between the GSA and UK communities speaks to our aligned commitment to arts education."

Current GSA Director Jason Brooks, who just completed his second year leading the program, said he has been touched by UK's commitment to GSA.

"The University of Kentucky is one of the few institutions in the state that offers degrees and certifications across all of GSA's artistic disciplines," Brooks said. "This breadth has made it a natural fit for our program, as it allowed young artists from across the Commonwealth to experience, firsthand, the caliber of facilities and resources available to them should they choose to pursue their education at UK."

The shift in 2022 from one session to two doubled the number of students who had the opportunity to attend GSA, but it also presented a logistical challenge. Covault said UK never wavered at the prospect of that dynamic change.

"Put simply, UK showed up and said, 'Let's figure this out together,'" Covault said. "There were so many learnings we discovered in the process of doubling the size of the program, and UK's team helped GSA figure out all the fine details. The support of our Wildcat

colleagues undoubtedly contributed to our ability to provide our students with a quality experience, whether it was a June session or July session."

By the time Brooks took over for the summer of 2024, double sessions had become a norm. He singled out the UK College of Fine Arts for its support of GSA's broadened mission.

"The College of Fine Arts went above and beyond in providing staffing and hospitality that were truly invaluable to our work," Brooks said. "From allowing us access to faculty offices, to assembling a dedicated team of student workers who supported us daily throughout the summer, their partnership made the logistical side of the program run far more smoothly."

"The staff at Champions Kitchen made us feel at home," added Covault. "The staff at (UK Police Department) and UK HealthCare ensured we were safe and cared for."

In reflecting on his two years as GSA director, Brooks said he felt the campus was aligned with GSA's core values.

"The University of Kentucky ... provided the environment and resources that allowed us to reinforce a message central to GSA: your art has value, and you, as an artist, are important."

Kentucky had one of the larger unfunded pension liability of any state

BY KEVIN HARDY
KENTUCKY LANTERN

While more than a dozen states have shrunk their pension debt obligations in recent years, a majority continue to see growth in the gap between the amount of money retirees have been promised and the amount of cash states have set aside.

In a new analysis released this week, The Pew Charitable Trusts concluded that states' unfunded pension liabilities grew to nearly \$1.3 trillion in fiscal year 2022, largely because of lower-than-expected investment returns.

Total liabilities for future pension costs as a share of state revenues increased more than 22 percentage points between fiscal years 2008 and 2022 —

reaching nearly 66% in fiscal 2022, Pew found. It's an important issue for current public employees and retirees as well as state policymakers, who must balance the growing tab with other spending priorities.

"Long-term liabilities are not always top of mind for state policymakers because they are paid for over decades," Pew's report reads. "Yet, when they grow faster than a state's revenue, those liabilities can squeeze state budgets and constrain future public investments."

Between 2008 and 2022, unfunded pension obligations grew relative to state revenue in 34 states. In 16 states, unfunded pension liabilities decreased. Pew researchers found Illi-

nois had the largest unfunded pension liability of any state, followed by New Jersey, Mississippi, Connecticut and Kentucky.

In four states — New York, South Dakota, Tennessee and Washington — pension plan assets exceeded what was owed.

Pew found states have made progress specifically on closing gaps on unfunded retiree health care costs — which decreased by nearly 8 percentage points as a share of state revenues between 2008 and 2019, falling to 45% in 2019.

And all 50 states collectively shrunk their outstanding debt loads relative to revenue by more than 6 percentage points from fiscal years 2018 to 2022, which fell to 18% of revenues by 2022.

Man says he hurt badly during lethal injection without deactivating defibrillator

BY JONATHAN MATTISE
ASSOCIATED PRESS

NASHVILLE, Tenn. — An inmate executed by Tennessee without deactivating his implanted defibrillator said he was hurt badly shortly after the lethal injection began, according to several witnesses.

Byron Black was put to death despite uncertainty about whether the device would shock his heart when the lethal chemicals took effect. His attorney said they will review data kept by the device as part of an autopsy.

Black died at 10:43 a.m., prison officials said. It was about 10 minutes after the execution started and Black talked about being in pain.

Asked for any last words, he replied, "No sir."

Black looked around the room as the execution started, lifting his head off the gurney multiple times, and could be heard sighing and breathing heavily. All seven media witnesses to the execution agreed he appeared to be in discomfort.

Throughout the execution, a spiritual advisor prayed and sang over Black, at one point touching his face.

"Oh, it's hurting so bad," Black said, as he lay with his hands and chest restrained to the gurney, a sheet covering up past his lower half, and an IV line in his arm.

"I'm so sorry. Just listen to my voice," the advisor responded.

Black was executed after a back-and-forth in court over whether officials would need to turn off his implantable cardioverter-defibrillator, or ICD. Black, 69, was in a wheelchair, suffering from dementia, brain damage, kidney failure, congestive heart failure and other conditions, his attorneys have said.

The nonprofit Death Penalty Information Center said it's unaware of any other cases with similar claims to Black's about ICDs or pacemakers. Black's attorneys said they haven't found a comparable case, either.

BLACK KILLED HIS GIRLFRIEND AND HER 2 DAUGHTERS

Black was convicted in the 1988 shooting deaths of his girlfriend Angela Clay, 29, and her two daughters, Latoya Clay, 9, and Lakeisha Clay, 6. Prosecutors said he was in a jealous rage when he shot the three at their home. At the time, Black was on work-release while serving time for shooting Clay's estranged husband.

Clay's sister said Black will now face a higher power.

"His family is now going through the same thing we went through 37 years ago. I can't say I'm sorry because we never got an apology," Linette Bell, Angela Clay's sister, said in a statement read by a victim's advocate after the execution.

Black's lawyer said the execution was shameful.

"Today, the state of Tennessee killed a gentle, kind, fragile, intellectually disabled man in a violation of the laws of our country simply because they could," attorney Kelley Henry said.