

August 8, 2024

**RE: TERM COAL BID INVITATION: LG&E/KU/24-03**

Deadline for Bids: **5:00 PM ET Thursday, August 22, 2024**

Louisville Gas and Electric Company (“LG&E”) and Kentucky Utilities Company (“KU” and, collectively with LG&E, the “Company”) are soliciting proposals for steam coal for LG&E’s Trimble County and Mill Creek Generating Stations and KU’s Ghent Generating Station.

**Rail Coal:** Spot coal for Q4 2024 and term coal for up to six (6) years in length, beginning January 2025 for LG&E’s Mill Creek Station.

**Barge Coal:** Spot coal for Q4 2024 and term coal for up to six (6) years in length, beginning January 2025 for LG&E’s Mill Creek and Trimble County Stations and KU’s Ghent Station.

**Notes:**

* These documents can be downloaded from the website: [apps.lge-ku.com/RegulatedFuelBids/](http://apps.lge-ku.com/RegulatedFuelBids/).
* The bid form (Exhibit A) must be used in submitting your bid.
* Bidder may offer any coal or alternative fuels, including volume flexibility.
* Bidders may submit more than one quotation, however each must be submitted on separate Exhibit A.
* Bid price shall be all inclusive of any and all costs to get the coal loaded into the barge or railcar.
* Bids must remain in effect until 5:00 PM ET on Thursday, November 21, 2024.
* Bidder warrants that the prices in this bid have been arrived at independently without consultation or collusion with any other Bidder, potential Bidder, or any director, officer, or employee of the Company.

AN ORIGINAL OF EACH BID PROPOSAL MUST BE SUBMITTED EITHER ONLINE VIA AN **ELECTRONIC MAILBOX** (fuel.bids@lge-ku.com) OR IN A **SEALED** **ENVELOPE** MARKED:  ***LG&E/KU SPOT AND TERM COAL OFFER LGE/KU 24-03 and*** EITHER MAILED BY CERTIFIED MAIL OR DELIVERED BY THE BIDDER TO THE FOLLOWING:

 Mr. Tim Smith

 Manager Coal Supply Services

 LG&E and KU Services Company

 220 W. Main Street

 Louisville, KY 40202

Bids **must** be received on or before 5:00 P.M. EDT, on Thursday, August 22, 2024 at the above address or the online mailbox. For bid documents submitted via the electronic mailbox please insure to only submit the bid to the provided address, do not include anyone else from LG&E/KU on the email. When submitting via electronic mailbox please be sure to include in the subject line the following:

 LG&E/KU SPOT AND TERM COAL OFFER LGE/KU 24-03

The Company also reserves the right to require the Bidder to furnish a parent guarantee, performance bond, surety bond, or other credit or performance assurance of a form and amount sufficient to provide adequate protection to the Company, in its discretion, in the event the Bidder is unable to satisfactorily perform the diets and obligations imposed on Bidder, under any contract which is entered into as a result of this bid.

The Company will retain in confidence, all proposals and other information received pursuant to this Request, but reserves the right to disclose such information and/or proposals to consultants that the Company may retain to assist in the evaluation and contract effort, or when so requested or required by a court or government agency.

THE COMPANY FULLY RESERVES THE RIGHT TO MODIFY OR WITHDRAW THIS REQUEST, TO REQUEST ADDITIONAL INFORMATION, TO WAIVE TECHNICALITIES OR IRREGULARITIES, TO REJECT ANY OR ALL PROPOSALS, AND TO TERMINATE ANY SUBSEQUENT DISCUSSIONS AT ANY TIME. THE COMPANY ALSO RESERVES THE RIGHT TO ACCEPT ONE OR MORE PROPOSAL(S) FOR A PORTION OR FOR ALL OF THE QUANTITIES OF COAL. THE COMPANY ALSO RESERVES THE RIGHT TO NEGOTIATE WITH BIDDER THE TERMS AND CONDITIONS OF THIS QUOTATION, ANY REPLY COMMUNICATIONS AND ALL PROPOSED OR ACTUAL FORMS OF AGREEMENTS, CONTRACTS OR OTHER DOCUMENTS.

Nothing herein shall obligate the Company to compensate or reimburse Bidder for any costs or expenses incurred in the preparation of Bidder’s proposal, or the submission of any information or data in connection therewith. The Company shall not be obligated under any contract or order resulting from any proposal unless and until the contract or order has been signed by a duly authorized official of the Company.

This bid invitation represents a non-binding expression of the Company’s present interest with respect to its subject matter. No legal rights or obligations shall arise under this invitation, any bid submission or as a result of further negotiations or discussions by Company or its representatives hereunder, unless and until mutually acceptable definitive agreements regarding the subject matter hereof have been executed and delivered, and then only in accordance with the terms of those agreements. The Company shall have no liability or obligation to Bidders or other parties in the event definitive agreements concerning Bidder are not executed or delivered for any reason and Bidder hereby waives and releases Company from such liability or obligation to the maximum extent under law.

The Bidders placed on the "Short List" will be notified of their selection to the list as promptly as possible.

A sample coal supply contract, including but not limited to sample insurance, default, termination and other provisions, can be provided by the Company (upon request) if you are submitting a bid. ANY AND ALL EXCEPTIONS TO THE CONTRACT TERMS AND CONDITIONS MUST BE NOTED BY BIDDER IN THE BID DOCUMENTS. To request a copy of the sample coal contract or an electronic version of this solicitation, please contact:

 Matthew Mengelberg / 502-381-3138 email address: matthew.mengelberg@lge-ku.com

**IF YOU SUBMIT VIA ONLINE MAILBOX AND DO NOT RECEIVE A CONFIRMATION EMAIL WITHIN TWO HOURS OF SUBMISSION, PLEASE REACH OUT TO MATTHEW MENGELBERG.**

### EXHIBIT A

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EXHIBIT A - Coal Supply Bid

1. **BIDDER**

 **Producer:** **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** (Company Name and Contact Person)

 ( ) (Phone Number)

 **Broker (If not Producer)**:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(Company Name and Contact Person)

 ( ) (Phone Number)

**2. SOURCE**

 Mine Name:

 Mine Location (County and State):

 Type of Mining: Seam(s): MSHA ID:

 Blend Percent: \_\_\_\_\_\_\_ Raw \_\_\_\_\_\_\_ Washed

**3. PRICE**

A. Bidder's Coal Quantity and Price F.O.B. PRICE

|  |  |  |  |
| --- | --- | --- | --- |
| Period | TonnageOffered | RAIL | BARGE |
| $/mmBTU | $/Ton | $/mmBTU | $/Ton |
| Q4 2024 |  |  |  |  |  |
| 2025 |  |  |  |  |  |
| 2026 |  |  |  |  |  |
| 2027 |  |  |  |  |  |
| 2028 |  |  |  |  |  |
| 2029 |  |  |  |  |  |
| 2030 |  |  |  |  |  |

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 B. Loading Points – Bidder hereby offers the coal to be loaded as listed below:

 ( ) The coal quoted herein as F.O.B. barge shall be loaded at:

 Loading Point (Dock) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 River \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Mile Point \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 ( ) The coal quoted herein as F.O.B. railcar shall be loaded at:

 Loading Point \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Railroad \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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 **4. COAL QUALITY SPECIFICATIONS**

 Bidder warrants that the quality of coal shipped will conform to the following specifications on an as-received basis:

 **GUARANTEED MONTHLY REJECTION LIMITS**

 **DESCRIPTION WEIGHTED AVERAGE (PER SHIPMENT)**

 BTU/lb. Min.                  <

 Moisture Max.                 lbs./mmBTU >

 Ash Max.                 lbs./mmBTU >

 Sulfur Max.                 lbs./mmBTU >

 Chlorine Max.                  PPM >

Arsenic Max.                 PPM >\_\_\_\_\_\_\_\_\_\_\_\_\_

 Calcium Oxide (% of Ash)               %

 Size (3" x 0"):

 Top size (inches) Max.                 >

 Fines (% by weight)

 Passing 1/4 inch

 Screen Max.                  >

 Hardgrove Index (HGI) Min.                  <

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ASH FUSION TEMPERATURE (FAHRENHEIT) (ASTM D1857)

 GUARANTEED MONTHLY REJECTION LIMITS

 DESCRIPTION WEIGHTED AVERAGE (PER SHIPMENT)

 REDUCING ATMOSPHERE

 Initial Deformation Min.             Min.

 Softening (H=W) Min.             Min.

 Softening (H=1/2W) Min.             Min.

 Fluid Min.             Min.

 OXIDIZING ATMOSPHERE

 Initial Deformation Min.           Min.            ­­

 Softening (H=W) Min.             Min.

 Softening (H=1/2W) Min.            Min.

 Fluid Min.            Min.

**ULTIMATE ANALYSIS (dry basis) ANALYSIS of ASH (ignited basis)**

Carbon \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Phosphorous Pentoxide (P2O5) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Hydrogen \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Silica (SiO2) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Nitrogen \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Ferric Oxide (Fe2O3) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Chlorine \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Alumina (Al2O3) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Sulfur \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Titania (TiO2) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Oxygen \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Magnesia (MgO) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Ash \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Sulfur Trioxide (SO3) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mercury \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Potassium Oxide (K2O) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Arsenic \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Sodium Oxide (Na2O) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Strontium Oxide (SrO) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Barium Oxide (BaO) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Calcium Oxide (CaO) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Manganese Dioxide (MnO2) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**5. PAYMENT CALCULATIONS**

The unit prices offered by Bidder in Section 3 should be the base prices and will be used with the following discount rates. Adjustments will be made to reflect variances from the Bidder specified guaranteed **monthly** weighted averages as shown in Section 4, Coal Quality Specifications. **No premium for lower ash and/or sulfur will be added to the agreed upon price.** Bidder’s base prices should take into account any quality deviation for lower ash and/or sulfur than shown in Section 4, Coal Quality Specifications.

 **MONTHLY DISCOUNT VALUES**

 ($/mmBTU)

 BTU/LB 0.2604

 $/mmBTU per lb./mmBTU

 Moisture 0.0016

 Ash 0.0083

 Sulfur 0.1232

6. **PRODUCER'S STATEMENT (Required only if Producer is not the Bidder)**

 The undersigned Producer (the “Producer”) states that it has authorized \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (the “Broker”) to offer coal produced by Producer in the quantity and quality set forth in the bid to which this statement is attached (the “Bid”).

The Producer acknowledges that, if a contract is awarded to the Broker pursuant to the Bid or pursuant to a modification of the Bid, then the Company in its discretion will require either (a) that the Producer execute the Coal Supply Agreement as a seller jointly and severally obligated with the Broker or (b) that the Producer execute a producer’s certificate under which, among other things, the Producer will agree, represent, and warrant that it owns, or has the right to produce coal from coal reserves which contain economically recoverable coal in the quantity and quality required by the Coal Supply Agreement and that it will not use or sell coal from such reserves in a way that will reduce the economically recoverable balance of coal to an amount less than that required by the Coal Supply Agreement.

 **BROKER PRODUCER**

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 (NAME OF COMPANY) (NAME OF COMPANY)

 BY: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ BY: **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 TITLE: TITLE:

 DATE: DATE:

### EXHIBIT A

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**7. BID EXCEPTIONS**

Please note any exceptions to the bid document below. If none, please state none.

 **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

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**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**8. BIDDER SIGNATURE**

Submitted by: Company Name (herein referred to as "Bidder")

Address:

Telephone No. ( )

By: **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 (Individual's Name) Signature

Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

BIDS MUST BE SIGNED BY AN OFFICIAL OF THE ORGANIZATION (SUBMITTING THE BID) WHO HAS THE AUTHORITY FOR ESTABLISHING PRICES AND SUBMITTING BIDS FOR THAT ORGANIZATION.