

RECEIVED

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

OCT 05 2012

In the Matter of:

PUBLIC SERVICE  
COMMISSION

The 2012 Integrated Resource Plan of  
East Kentucky Power Cooperative, Inc.

)  
)  
)  
)  
)

CASE NO. 2012-00149

**SONIA MCELROY AND SIERRA CLUB'S SECOND SUPPLEMENTAL REQUESTS  
FOR INFORMATION TO EAST KENTUCKY POWER COOPERATIVE**

Intervenors Sonia McElroy and Sierra Club (collectively "Intervenors") pursuant to the Kentucky Public Service Commission's ("Commission") Orders of May 25, July 5, and September 17, 2012 propound the following requests for information on the East Kentucky Power Cooperative, Inc. ("EKPC") regarding EKPC's Integrated Resource Plan that is the subject of the above-captioned proceeding.

EKPC shall answer these requests for information in the manner set forth in the May 25 Order and by the October 19, 2012 deadline set forth in the September 17 Order. Please produce the requested documents in electronic format at the offices of Sierra Club, 85 Second Street, 2<sup>nd</sup> Floor, San Francisco, CA 94105 or at such other location as may be mutually agreed upon between counsel of record.

Wherever the response to an interrogatory or request consists of a statement that the requested information is already available to the Intervenors, provide a detailed citation to the document that contains the information. This citation shall include the title of the document, relevant page number(s), and to the extent possible paragraph number(s) and/or chart/table/figure number(s).

In the event that any document referred to in response to any request for information has been destroyed, specify the date and the manner of such destruction, the reason for such destruction, the person authorizing the destruction and the custodian of the document at the time of its destruction.

The Intervenors reserve the right to serve supplemental, revised, or additional discovery requests as permitted in this proceeding.

**DEFINITIONS**

Unless otherwise specified in each individual interrogatory or request, "you," "your," "EKPC," or "Company" refers to East Kentucky Power Cooperative, and its distribution cooperatives, affiliates, employees, and authorized agents.

“And” and “or” shall be construed either conjunctively or disjunctively as required by the context to bring within the scope of these interrogatories and requests for production of documents any information which might be deemed outside their scope by another construction.

“Any” means all or each and every example of the requested information.

“Communication” means any transmission or exchange of information between two or more persons, whether orally or in writing, and includes, without limitation, any conversation or discussion by means of letter, telephone, note, memorandum, telegraph, telex, telecopy, cable, email, or any other electronic or other medium.

“Document” refers to written matter of any kind, regardless of its form, and to information recorded in any storage medium, whether in electrical, optical or electromagnetic form, and capable of reduction to writing by the use of computer hardware and software, and includes all copies, drafts, proofs, both originals and copies either (1) in the possession, custody or control of EKPC regardless of where located, or (2) produced or generated by, known to or seen by EKPC, but not in their possession, custody or control, regardless of where located or whether still in existence.

Such “documents” shall include, but are not limited to, applications, permits, monitoring reports, computer printouts, contracts, leases, agreements, papers, photographs, tape recordings, transcripts, letters or other forms of correspondence, folders or similar containers, programs, telex, TWX and other teletype communications, memoranda, reports, studies, summaries, minutes, minute books, circulars, notes (whether typewritten, handwritten or otherwise), agenda, bulletins, notices, announcements, instructions, charts, tables, manuals, brochures, magazines, pamphlets, lists, logs, telegrams, drawings, sketches, plans, specifications, diagrams, drafts, books and records, formal records, notebooks, diaries, registers, analyses, projections, email correspondence or communications and other data compilations from which information can be obtained (including matter used in data processing) or translated, and any other printed, written, recorded, stenographic, computer-generated, computer-stored, or electronically stored matter, however and by whomever produced, prepared, reproduced, disseminated or made.

Without limitation, the term “control” as used in the preceding paragraphs means that a document is deemed to be in your control if you have the right to secure the document or a copy thereof from another person or public or private entity having actual possession thereof. If a document is responsive to a request, but is not in your possession or custody, identify the person with possession or custody. If any document was in your possession or subject to your control, and is no longer, state what disposition was made of it, by whom, the date on which such disposition was made, and why such disposition was made.

In the interest of efficiency during discovery and the hearing process, bates stamp all documents produced in response to these interrogatories and requests for production.

For purposes of the production of “documents,” the term shall include copies of all documents being produced, to the extent the copies are not identical to the original, thus

requiring the production of copies that contain any markings, additions or deletions that make them different in any way from the original

“DSM” means demand-side management programs including demand-response, interruptible load, and energy efficiency programs.

“Identify” means:

- (a) With respect to a person, to state the person’s name, address and business relationship (e.g., “employee”) to KPC;
- (b) With respect to a document, to state the nature of the document in sufficient detail for identification in a request for production, its date, its author, and to identify its custodian. If the information or document identified is recorded in electrical, optical or electromagnetic form, identification includes a description of the computer hardware or software required to reduce it to readable form.

“IRP” means EKPC’s Integrated Resource Plan, including all appendices, filed with the Kentucky PSC in the above-captioned proceeding on April 20, 2012.

“Relating to” or “concerning” means and includes pertaining to, referring to, or having as a subject matter, directly or indirectly, expressly or implied, the subject matter of the specific request.

### **PRIVILEGE**

If you claim a privilege including, but not limited to, the attorney-client privilege or the work product doctrine, as grounds for not fully and completely responding to any interrogatory or request for production, describe the basis for your claim of privilege in sufficient detail so as to permit the Commission to adjudicate the validity of the claim if called upon to do so. With respect to documents for which a privilege is claimed, produce a “privilege log” that identifies the author, recipient, date and subject matter of the documents or interrogatory answers for which you are asserting a claim of privilege and any other information pertinent to the claim that would enable the Intervenor or the Commission to evaluate the validity of such claims.

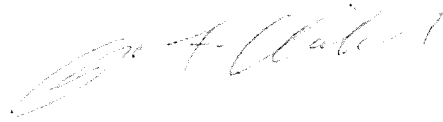
### **TIME**

Unless otherwise provided, the applicable time period for each of these requests for information is January 1, 2009 to the present.

## REQUESTS FOR INFORMATION

1. Refer to your August 10, 2012 response to Sierra Club requests 26f, 26h, and 26i, and Appendix A to the December 2007 Power Plant Assessment Study prepared by Burns & McDonnell Engineering Company and submitted in Case No. 2008-0472.
  - a. State whether the “Voltage Violations with 00MW of Total Generation Output at Dale Station” identified in Table 2A of Appendix A to the Power Plant Assessment Study would still be expected to occur if the Dale Station were retired, deactivated, or otherwise ceased generating power.
    - i. If not, identify and produce any analysis or document supporting as such.
  - b. State whether each of the transmission expansion projects identified in Table 2B of Appendix A to the Power Plant Assessment Study have been completed.
    - i. If not, explain why not and how long it would take to complete each such project.
  - c. State whether EKPC has completed any other transmission analysis for any of its coal-fired generating units similar to that found in Appendix A to the Power Plant Assessment Study since the completion of the analysis found in Appendix A.
2. Refer to your August 10, 2012 response to Sierra Club request 26c. Explain the basis for contending that EKPC’s generating units have no salvage value.
3. Refer to your August 10, 2012 response to Sierra Club request 44.
  - a. State whether EKPC requested the underlying data for the EPRI DSM technical potential study. If not, explain why not. If so, explain why such data was not provided.
  - b. Explain what steps EKPC took to try to “verify EPRI’s assumptions and underlying data.”
  - c. Explain how EKPC “utilized the EPRI report as an overall reasonableness test.”
  - d. Confirm whether any other DSM potential studies, besides the EPRI study, were performed by or for EKPC in the last five years. If so, produce such studies.

Respectfully submitted,



---

Joe Childers, Esq.  
Joe F. Childers & Associates  
300 Lexington Building  
201 West Short Street  
Lexington, Kentucky 40507  
859-253-9824  
859-258-9288 (facsimile)

Of counsel:

Kristin Henry, Staff Attorney  
Sierra Club  
85 Second Street  
San Francisco, CA 94105  
Phone: (415) 977-5716  
Fax: (415) 977-5793  
kristin.henry@sierraclub.org

Shannon Fisk  
Earthjustice  
1617 John F. Kennedy Blvd., Suite 1675  
Philadelphia, PA 19103  
(215) 717-4522  
sfisk@earthjustice.org

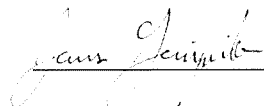
Dated: October 5, 2012

## CERTIFICATE OF SERVICE

I certify that I had filed with the Kentucky Public Service Commission and served a copy of this **SONIA MCELROY AND SIERRA CLUB'S SECOND SUPPLEMENTAL REQUESTS FOR INFORMATION TO EAST KENTUCKY POWER COOPERATIVE** via electronic mail and U.S. Mail on October 5, 2012 to the following:

Mark David Goss  
Goss Samford, PLLC  
2365 Harrodsburg Road, Suite B130  
Lexington, KY 40504  
[mdgoss@gosssamfordlaw.com](mailto:mdgoss@gosssamfordlaw.com)

Michael L. Kurtz  
Boehm, Kurtz & Lowry  
36 East Seventh Street, Suite 1510  
Cincinnati, OH 45202  
[mkurtz@bkllawfirm.com](mailto:mkurtz@bkllawfirm.com)

  
\_\_\_\_\_  
James Giampietro