

In the Matter Of:

PUBLIC SERVICE
COMMISSION

Petition And Complaint Of Kentucky Power)
Company For A Declaration Of Its Exclusive)
Right Pursuant to KRS 278.018(1) To Serve)
Those Portions Of The Sand Gap)
Estates In Greenup County, Kentucky Lying)
Within Its Certified Territory In Lieu Of)
Grayson Rural Electric Cooperative Corporation)

Case No. 2012-00224

* * * * *

**KENTUCKY POWER COMPANY’S DATA REQUESTS TO
GRAYSON RURAL ELECTRIC COOPERATIVE CORPORATION**

Pursuant to the Commission’s Order dated November 8, 2012, Kentucky Power
Company propounds the following data requests to be answered by Grayson Rural Electric
Cooperative Corporation:

DEFINITIONS

1. “Document” means the original and all copies (regardless of origin and whether or not including additional writing thereon or attached thereto) of memoranda, reports, books, manuals, instructions, directives, records, forms, notes, letters, notices, confirmations, telegrams, pamphlets, notations of any sort concerning conversations, telephone calls, meetings or other communications, bulletins, transcripts, diaries, analyses, summaries, correspondence investigations, questionnaires, surveys, worksheets, and all drafts, preliminary versions, alterations, modifications, revisions, changes, amendments and written comments concerning the foregoing, in whatever form, stored or contained in or on whatever medium, including computerized memory or magnetic media.
2. “Study” means any written, recorded, transcribed, taped, filmed, or graphic matter, however produced or reproduced, either formally or informally, a particular issue or situation, in whatever detail, whether or not the consideration of the issue or situation is in a preliminary stage, and whether or not the consideration was discontinued prior to completion.

3. “Person” means any natural person, corporation, professional corporation, partnership, association, joint venture, proprietorship, firm, or the other business enterprise or legal entity.
4. A request to identify a natural person means to state his or her full name and residence address, his or her present last known position and business affiliation at the time in question.
5. A request to identify a document means to state the date or dates, author or originator, subject matter, all addressees and recipients, type of document (e.g., letter, memorandum, telegram, chart, etc.), number or code number thereof or other means of identifying it, and its present location and custodian. If any such document was, but is no longer in the Company’s possession or subject to its control, state what disposition was made of it.
6. A request to identify a person other than a natural person means to state its full name, the address of its principal office, and the type of entity.
7. “Identify” used in a fashion other than as described in instructions 3-6 above means to provide in detail, including all assumptions, bases, facts considered, and rationale if not called for in another part of the data request, the requested information.
8. “And” and “or” should be considered to be both conjunctive and disjunctive, unless specifically stated otherwise.
9. “Each” and “any” should be considered to be both singular and plural, unless specifically stated otherwise.
10. Words in the past tense should be considered to include the present, and words in the present tense include the past, unless specifically stated otherwise.
11. “You” or “your” means Grayson Rural Electric Cooperative Corporation and its past and present employees, officers, directors, agents, and contractors.
12. “Kentucky Power” or “Company” means Kentucky Power Company, and its officers, directors, employees, agents, and contractors.
13. “Grayson” means Grayson Rural Electric Cooperative Corporation and its officers, directors, employees, agents, and contractors.
14. “Commission” means the Public Service Commission of Kentucky.
15. “Sand Gap Estates” means the roughly “C”-shaped area of Greenup County, Kentucky lying between the Industrial Parkway (Ky. 67) and the former mining road (Sand Gap Road) **plus** the area adjoining the former mining road to the west. It includes

the residences located at 414 Sand Gap Road, Argilite, Kentucky and 397 Olivia Boulevard, Argilite, Kentucky.

16. "Certified Territory" means that portion of the Commonwealth of Kentucky indicated on any map filed or signed by Grayson with the Commission and designating the territory in which Grayson has the exclusive right to furnish retail electric service in accordance with KRS 278.018(1)

INSTRUCTIONS

1. If any matter is evidenced by, referenced to, reflected by, represented by, or recorded in any document, please identify and produce for discovery and inspection each such document.
2. These data requests are continuing in nature, and, without regard to the date created or obtained, information which the responding party later becomes aware of, or has access to, and which is responsive to any request is to be made available to Kentucky Power. Any studies, evaluations, analyses, documents, or other subject matter not yet completed that will be relied upon during the course of this case should be so identified and provided as soon as they are completed. The Respondent is obliged to change, supplement and correct all answers to interrogatories to conform to available information, including such information as it first becomes available to the Respondent after the answers hereto are served.
3. Unless otherwise expressly provided, each interrogatory should be construed independently and not with reference to any other interrogatory herein for purpose of limitation.
4. The answers provided should first restate the question asked and also identify the person(s) supplying the information.
5. Please answer each designated part of each information request separately. If you do not have complete information with respect to any interrogatory, so state and give as much information as you do have with respect to the matter inquired about, and identify each person whom you believe may have additional information with respect thereto.
6. In the case of multiple witnesses, each interrogatory should be considered to apply to each witness who will testify to the information requested. Where copies of testimony, transcripts or depositions are requested, each witness should respond individually to the information request.
7. The interrogatories are to be answered under oath by the witness(es) responsible for the answer.
8. Please furnish any non-disclosure agreement or other required agreement for disclosure of any information or response for which confidential treatment is sought.

Data Requests

1. Please refer to paragraph 2 of Grayson’s answer in this proceeding. With respect to the “accord reached between Kentucky Power and Grayson several years ago allowing CO-OP to supply retail electric service to the two entities complained of in the complaint” alleged in the answer:
 - (a) Please produce a copy of the referenced accord;
 - (b) If the accord has not been reduced to writing, or if the information is not otherwise evident from the face of the writing, please provide the following information concerning the referenced accord:
 - (i) Please identify the person or persons executing or agreeing to the referenced accord on behalf of Grayson;
 - (ii) Please identify the person or persons executing or agreeing to the referenced accord on behalf of Kentucky Power;
 - (iii) Please identify the date of the referenced accord; and
 - (iv) The terms of the referenced accord including any consideration received by each party.
 - (c) Please identify the date the referenced accord was submitted to the Commission for approval pursuant to KRS 278.018(6);
 - (d) Please provide the case number assigned to any Commission proceeding in connection with a request that the referenced accord be approved pursuant to KRS 278.018(6);
 - (e) Please provide a copy of the Order of the Commission approving the referenced accord pursuant to KRS 278.018(6); and
 - (f) If no Order of the Commission exists approving the referenced accord please provide in detail the basis for any contention the referenced accord was approved by the Commission pursuant to KRS 278.018(6), or that the referenced accord is otherwise binding on Kentucky Power or the Commission.
2. Please refer to paragraph 3 of Grayson’s answer in this proceeding. Please provide in detail the basis for the allegation in the answer that “Kentucky

Power should be stopped from asserting any complaint as alleged in its June 1, 2012 Complaint and Petition....”

3. With respect to the residence located at 414 Sand Gap Road, Argilite, Kentucky:
 - (a) Please identify the date Grayson first began providing retail electric service to the residence located at 414 Sand Gap Road, Argilite, Kentucky;
 - (b) Please identify by description and on a map of suitable scale all electric distribution facilities that were constructed, modified, improved, or expanded in connection with or as a result of Grayson’s provision of retail electric service to the residence located at 414 Sand Gap Road, Argilite, Kentucky;
 - (c) Does Grayson contend that the residence located at 414 Sand Gap Road, Argilite, Kentucky lies within Grayson’s certified territory;
 - (d) Please provide in detail all facts, including any maps, surveys, or other documents, Grayson contends supports its answer to subpart (c) of this data request; and
 - (e) If Grayson does not contend in response to subpart (c) of this data request that the residence located at 414 Sand Gap Road, Argilite, Kentucky lies within its certified territory, please provide all facts, including any documents, maps, surveys, or other documents, Grayson contends support its legal right to provide retail electric service to the residence located at 414 Sand Gap Road, Argilite, Kentucky.
 - (f) Please provide on a monthly basis beginning with the date service first was provided to the residence located at 414 Sand Gap Road the monthly revenue received by Grayson for retail electric service to the residence.
 - (g) Please provide on a monthly basis beginning with the date service first was provided to the residence located at 414 Sand Gap Road the kWh retail electric sales by Grayson to the residence.
4. With respect to the residence located 397 Olivia Boulevard, Argilite, Kentucky:
 - (a) Please identify the date Grayson first began providing retail electric service to the residence located at 397 Olivia Boulevard, Argilite, Kentucky;

- (b) Please identify by description and on a map of suitable scale all electric distribution facilities that were constructed, modified, improved, or expanded in connection with or as a result of Grayson's provision of retail electric service to the residence located at 397 Olivia Boulevard, Argilite, Kentucky;
- (c) Does Grayson contend that the residence located at 397 Olivia Boulevard, Argilite, Kentucky lies within Grayson's certified territory;
- (d) Please provide in detail all facts, including any maps, surveys, or other documents, Grayson contends supports its answer to subpart (c) of this data request;
- (e) If Grayson does not contend in response to subpart (c) of this data request that the residence located at 397 Olivia Boulevard, Argilite, Kentucky lies within its certified territory, please provide all facts, including any documents, maps, surveys, or other documents, Grayson contends support its legal right to provide retail electric service to the residence located at 397 Olivia Boulevard, Argilite, Kentucky;
- (f) Please provide on a monthly basis beginning with the date service first was provided to the residence located at 397 Olivia Boulevard the monthly revenue received by Grayson for retail electric service to the residence.
- (g) Please provide on a monthly basis beginning with the date service first was provided to the residence located at 397 Olivia Boulevard the kWh retail electric sales by Grayson to the residence.

5. With respect to Sand Gap Estates:

- (a) Please identify the date Grayson first began providing retail electric service to any electric consuming facility located in any portion of Sand Gap Estates other than 414 Sand Gap Road and 397 Olivia Boulevard, Argilite, Kentucky;
- (b) Please provide the street address of any electric consuming facility, other than 414 Sand Gap Road and 397 Olivia Boulevard, Argilite, Kentucky located in Sand Gap Estates to which Grayson at any time has provided retail electric service.
- (c) Please identify by description and on a map of suitable scale all electric distribution facilities that were constructed, modified, improved, or expanded in connection with or as a result of Grayson's provision of retail electric service to any electric

consuming facility located in any portion of Sand Gap Estates other than 414 Sand Gap Road and 397 Olivia Boulevard, Argilite, Kentucky;

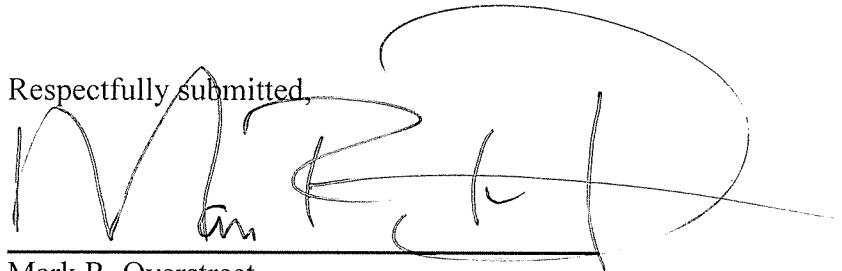
- (d) Does Grayson contend that the portion Sand Gap Estates other than 414 Sand Gap Road and 397 Olivia Boulevard, Argilite, Kentucky lies within Grayson's certified territory;
 - (e) Please provide in detail all facts, including any maps, surveys, or other documents, Grayson contends supports its answer to subpart (d) of this data request; and
 - (f) If Grayson does not contend in response to subpart (d) of this data request that the portion of Sand Gap Estates other than 414 Sand Gap Road and 397 Olivia Boulevard, Argilite, Kentucky lies within Grayson's certified territory, please provide all facts, including any documents, maps, surveys, or other documents, Grayson contends support its legal right to provide retail electric service to any portion of Sand Gap Estates other than 414 Sand Gap Road and 397 Olivia Boulevard, Argilite, Kentucky.
6. Please provide all maps, surveys, analyses, studies, reports or other documents, describing, plotting, demarking, or otherwise indicating the location of the boundary between the certified territories of Kentucky Power and Grayson in and about the vicinity of Sand Gap Estates.
7. Please identify and provide all communications, including e-mails, between Kentucky Power and Grayson relating to the provision of retail electric service to Sand Gap Estates. For each communication responsive to this data request that has not been memorialized in a document or electronic form, or otherwise is not produced in response to this data request, please provide the following:
- (a) the date of the communication;
 - (b) the identity of the parties to the communication; and
 - (c) a description of the content of the communication.
8. Please provide all communications, including e-mails, documents, reports, and studies, describing or relating to the provision of retail electric service to Sand Gap Estates other than those produced in response to data request 7 above.
9. Please provide the date service first was provided by Grayson to:
- (a) the residence located west of Sand Gap Road on or near Sandstone Road; and
 - (b) the residence located west of Sand Gap Road on or near Homeplace Drive.

10. If the Commission were to determine that the residence located at 414 Sand Gap Road must be served by Kentucky Power please identify:
 - (a) the Grayson distribution facilities that no longer would be required;
 - (b) whether Grayson would agree to transfer the unneeded facilities to Kentucky Power and at what cost; and
 - (c) any other distribution facilities Grayson would agree to transfer to Kentucky Power and at what cost.

11. If the Commission were to determine that the residence located at 397 Olivia Boulevard must be served by Kentucky Power please identify:
 - (a) the Grayson distribution facilities that no longer would be required;
 - (b) whether Grayson would agree to transfer the unneeded facilities to Kentucky Power and at what cost; and
 - (c) any other distribution facilities Grayson would agree to transfer to Kentucky Power and at what cost.

12. Please provide a map of suitable scale illustrating Grayson's distribution facilities located in or within 2500 feet of Sand Gap Estates.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark R. Overstreet', is written over a horizontal line. The signature is stylized and somewhat cursive.


Mark R. Overstreet
R. Benjamin Crittenden
STITES & HARBISON PLLC
421 West Main Street
P. O. Box 634
Frankfort, Kentucky 40602-0634

COUNSEL FOR KENTUCKY POWER
COMPANY

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by first class mail, postage prepaid, upon the following this 16th day of November, 2012.

W. Jeffrey Scott
311 West Main Street
Grayson, Kentucky 41143

A handwritten signature in black ink, appearing to read 'Mark R. Overstreet', written over a horizontal line. The signature is stylized and somewhat cursive.

Mark R. Overstreet