

**BOEHM, KURTZ & LOWRY**

ATTORNEYS AT LAW  
36 EAST SEVENTH STREET  
SUITE 1510  
CINCINNATI, OHIO 45202  
TELEPHONE (513) 421-2255  
TELECOPIER (513) 421-2764

Via Overnight Mail

RECEIVED

JUL 02 2012

PUBLIC SERVICE  
COMMISSION

June 29, 2012

Mr. Jeff Derouen, Executive Director  
Kentucky Public Service Commission  
211 Sower Boulevard  
Frankfort, Kentucky 40602

Re: Case No. 2012-00226

Dear Mr. Derouen:

Please find enclosed the original and ten (10) copies of the KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC's FIRST SET OF DATA REQUESTS TO KENTUCKY POWER COMPANY for filing in the above-referenced docket.

By copy of this letter, all parties listed on the Certificate of Service have been served. Please place this document of file.

Very Truly Yours,



Michael L. Kurtz, Esq.

Kurt J. Boehm, Esq.

Jody M. Kyler, Esq.

**BOEHM, KURTZ & LOWRY**

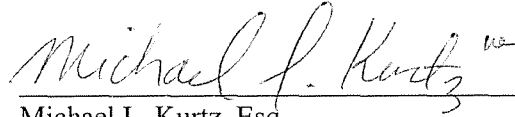
MLKkew

Attachment

cc: Certificate of Service  
Faith Burns, Esq.  
Richard Raff, Esq.

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served by mailing a true and correct copy via electronic mail (when available) and regular U.S. Mail to all parties on this 29<sup>th</sup> day of June, 2012.

A handwritten signature in cursive script that reads "Michael L. Kurtz" with a small "wa" written above the end of the signature.

---

Michael L. Kurtz, Esq.  
Kurt J. Boehm, Esq.  
Jody M. Kyler, Esq.

MARK R OVERSTREET, ESQ.  
STITES & HARBISON  
421 WEST MAIN STREET  
P. O. BOX 634  
FRANKFORT, KENTUCKY 40602-0634

DENNIS G. HOWARD, II. ESQ.  
ASSISTANT ATTORNEY GENERAL'S OFFICE  
1024 CAPITAL CENTER DRIVE, STE 200  
FRANKFORT, KENTUCKY 40601-8204

**COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION**

**IN THE MATTER OF: THE APPLICATION OF** :  
**KENTUCKY POWER COMPANY TO WITHDRAW ITS** :  
**TARIFF RTP PENDING SUBMISSION BY THE** : **Case No. 2012-00226**  
**COMPANY AND APPROVAL BY THE COMMISSION** :  
**OF A NEW REAL-TIME PRICING TARIFF** :

---

---

**FIRST SET OF DATA REQUESTS OF  
KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC.  
TO KENTUCKY POWER COMPANY**

---

Michael L. Kurtz, Esq.  
Kurt J. Boehm, Esq.  
Jody M. Kyler, Esq.  
**BOEHM, KURTZ & LOWRY**  
36 East Seventh Street, Suite 1510  
Cincinnati, Ohio 45202  
Ph: 513.421.2255 Fax: 513.421.2764  
[mkurtz@BKLawfirm.com](mailto:mkurtz@BKLawfirm.com)  
[kboehm@BKLawfirm.com](mailto:kboehm@BKLawfirm.com)  
[jkyler@BKLawfirm.com](mailto:jkyler@BKLawfirm.com)

**COUNSEL FOR KENTUCKY INDUSTRIAL  
UTILITY CUSTOMERS, INC.**

**Dated: June 29, 2012**

## 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 of 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. "And" and "or" should be considered to be both conjunctive and disjunctive, unless specifically stated otherwise.
8. "Each" and "any" should be considered to be both singular and plural, unless specifically stated otherwise.
9. 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.
10. "You" or "your" means the person whose filed testimony is the subject of these interrogatories and, to the extent relevant and necessary to provide full and complete answers to any request, "you" or "your" may be deemed to include any person with information relevant to any interrogatory who is or was employed by or otherwise associated with the witness or who assisted, in any way, in the preparation of the witness' testimony.
11. "AEP" means American Electric Power and/or any of their officers, directors, employees, or agents who may have knowledge of the particular matter addressed.
12. "Company" means Kentucky Power Co. d/b/a American Electric Power, and/or any of their officers, directors, employees or agents who may have knowledge of the particular matter addressed.

## 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 interrogatories are continuing in nature, and 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 Industrial Utility Customers. Any studies, 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. Responses to requests for revenue, expense and rate base data should provide data on the basis of Total Company as well as Intrastate data, unless otherwise requested.

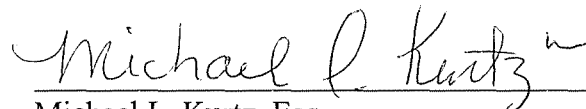
**KIUC FIRST SET OF DATA REQUESTS  
TO KENTUCKY POWER COMPANY  
PSC CASE NO. 2012-00226**

- Q1.1. For the period April 20, 2007 through the present, please provide the following:
- a. Copies of all correspondence (letters, emails, informal requests for which there is documentation) from any customer requesting information and/or interest about Tariff R.T.P. [Note, customer names or other identifiers can be removed for confidentiality purposes].
  - b. Copies of all correspondence, studies, evaluations, spreadsheets, notes of meetings provided by the Company to any customer regarding Tariff R.T.P. in response to a customer request for information or analyses regarding Tariff R.T.P. [Note, customer names or other identifiers can be removed for confidentiality purposes].
  - c. Copies of all internal Company studies, memoranda, emails or other writings (including notes) that address Tariff R.T.P. Include copies of all spreadsheets (in electronic form with formulas intact) developed by the Company that evaluate the economic or financial impact of Tariff R.T.P. on KPCo and/or any individual customers of the Company. Include a description of each such study and each assumption made in the analysis (for example, the number of customers that may take service under Tariff R.T.P. and the load characteristics of such customers).
- Q1.2. Please provide copies of any RTP tariffs or riders that were available at any time to retail customers of any AEP East or AEP West operating companies during the period 2007 through the present.
- Q1.3. Please provide copies of all internal Company studies, memoranda, emails or other writings (including notes) that address Tariff R.T.P. prior to April 20, 2007. Include copies of all spreadsheets (in electronic form with formulas intact) developed by the Company that evaluate the economic or financial impact of Tariff R.T.P. on KPCo and/or any individual customers of the Company. Include a description of each such study and each assumption made in the analysis (for example, the number of customers that may take service under Tariff R.T.P. and the load characteristics of such customers).
- Q1.4. With regard to Mr. Wohnhas' testimony on page 5 at lines 20-21, please provide all analyses supporting the proposed 10 customer limitation for Rider RTP.
- Q1.5. With regard to the proposed 10 customer limitation for Rider RTP, is this the same limitation that is applicable to Tariff R.T.P.? If so, please provide an explanation for the original 10 customer limitation to customer participation in Tariff R.T.P.
- Q1.6. Please provide KPCo's definition of "customer" as used in Mr. Wohnhas' testimony on page 5 at line 21. Provide copies of KPCo tariff rules, Commission regulations, or other support for the Company's definition.
- Q1.7. With regard to the Company's Application in this case at page 4, paragraph 9(a), please provide all analyses, studies, memoranda or other writings prepared by the Company during the period

April 20, 2007 through the present that support or otherwise address the Company's contention that the "tariff has not achieved its objective."

- Q1.8. With regard to the Company's Application in this case at page 4, paragraph 9(a), please provide the basis for the Company's stated "objective" of Tariff R.T.P.?
- Q1.9. With regard to the Company's Application For Approval of an Experimental Real-Time-Pricing Rider at page 4, paragraph 9(b), please provide all analyses (including all electronic spreadsheets with formulas intact), studies, memoranda or other writings prepared by the Company during the period April 20, 2007 through the present that support the Company's quantification of "substantial financial losses." Please include all assumptions used in all such analyses.
- Q1.10. To the extent not provided in response to the previous question, with regard to the Company's Application filed June 1, 2012 in this case, please provide all analyses (including all electronic spreadsheets with formulas intact), studies, memoranda or other writings that support the Company's quantification presented on page 4 at paragraph 11 of "substantial losses if the customers who have expressed interest in shifting their load to Tariff RTP do so." Please provide all analyses (including all electronic spreadsheets with formulas intact) supporting the Company's calculation of a \$10 million to \$20 million revenue loss for the period July 1, 2012 through June 30, 2013. Please include all assumptions used in all such analyses, including any assumptions regarding revenues from the sale of energy off-system that may have been made possible by customer participation in Tariff R.T.P.
- Q1.11. When did KPCo first become aware that it would incur "substantial financial losses" from customer participation on Tariff R.T.P.? Please provide copies of all internal KPCo studies, memoranda, notes of meetings that address this issue.

Respectfully submitted,



Michael L. Kurtz, Esq.

Kurt J. Boehm, Esq.

Jody M. Kyler, Esq.

**BOEHM, KURTZ & LOWRY**

36 East Seventh Street, Suite 1510

Cincinnati, Ohio 45202

Ph: 513.421.2255 Fax: 513.421.2764

[mkurtz@BKLawfirm.com](mailto:mkurtz@BKLawfirm.com)

[kboehm@BKLawfirm.com](mailto:kboehm@BKLawfirm.com)

[jkyler@BKLawfirm.com](mailto:jkyler@BKLawfirm.com)

**COUNSEL FOR KENTUCKY INDUSTRIAL  
UTILITY CUSTOMERS, INC.**

June 29, 2012