

BOEHM, KURTZ & LOWRY

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Via Overnight Mail

October 24, 2012

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

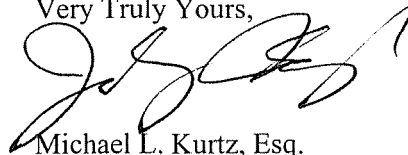
Re: *Air Liquide Large Industries U.S. LP vs. Kentucky Power Company*
Docket No. 2012-000351

Dear Mr. Derouen:

Please find enclosed the original and ten (10) copies of the ATTACHMENTS to the BRIEF OF AIR LIQUIDE LARGE INDUSTRIES U.S. LP previously filed in the above-referenced matter that were inadvertently omitted from the Commission's copies.

By copy of this letter, all parties have been served. Please place these documents of file.

Very Truly Yours,



Michael L. Kurtz, Esq.

Kurt J. Boehm, Esq.

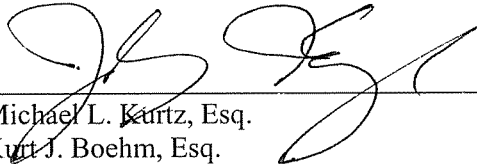
Jody M. Kyler, Esq.

BOEHM, KURTZ & LOWRY

MLKkew
Attachment

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by electronic mail (when available) and by mailing a true and correct copy by regular, U.S. Mail, unless other noted, this 24th day of October, 2012 to the following



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

Ranie Wohnhas, Managing Director, Reg & Finance
American Electric Power
101 A Enterprise Drive
P. O. Box 5190
Frankfort, KENTUCKY 40602

Honorable Mark R Overstreet
Stites & Harbison
421 West Main Street
P. O. Box 634
Frankfort, KENTUCKY 40602-0634

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

AIR LIQUIDE LARGE INDUSTRIES U.S. LP	:	Case No. 2012-00351
	:	
Complainant	:	
v.	:	
	:	
KENTUCKY POWER COMPANY	:	
	:	
Defendant	:	

**ATTACHMENTS TO
BRIEF OF
AIR LIQUIDE LARGE INDUSTRIES U.S. LP**

Exhibit A

EXHIBIT A

"Johnson, Ron" <Ron.Johnson@airliquide.com>

06/19/2012 12:09 PM

To "James (Bud) Clark (jcclark1@aep.com)" <jcclark1@aep.com>
cc "Smith, Bill(Houston)" <Bill.Smith@Airliquide.com>, "Johnson, Ron"
<Ron.Johnson@airliquide.com>
Subject Air Liquide Request

Mr. Clark:

Air Liquide's Ashland Kentucky facility is currently on the C.I.P. --T.O.D tariff rate for electricity with Kentucky Power. We would like to move it from this rate to the tariff RTP rate.

Please forward me the Addendum we need to begin this process.

Thank you and please let me know if you have any questions.

Ron B. Johnson
Energy Manager



AIR LIQUIDE
2700 Post Oak Blvd; Suite 1800
Houston, Tx 77056

713-402-2147 office

713-320-6696 cell

713-803-5541 fax

ron.johnson@airliquide.com

Exhibit B

EXHIBIT B

From: jcclark1@aep.com [<mailto:jcclark1@aep.com>]
Sent: Thursday, June 21, 2012 6:08 PM
To: Johnson, Ron
Cc: Smith, Bill(Houston)
Subject: Re: Air Liquide Request

Ron,
As we discussed this morning, the current tariff RTP is not longer available for additional customers. The experimental tariff has reached the limit of 10 customer participants. As requested, I have attached a copy of the addendum for this tariff, but have marked it as "DRAFT-NOT FOR EXECUTION".

If you have any further questions, please let me know.

James (Bud) Clark
National Account Manager
American Electric Power
4421 W. Loop 281 Longview, TX 75604-5926
PH: (903) 234-7319 FX: (903) 234-7269
www.aepnationalaccounts.com

The preceding e-mail message (including any attachments) contains information that may be confidential, be protected by the attorney-client or other applicable privileges, or constitute non-public information. It is intended to be conveyed only to the designated recipient(s). If you are not an intended recipient, of this message, please notify the sender by replying to this message and then delete it from your system. Use, dissemination, distribution, or reproduction of this message by unintended recipients is not authorized and may be unlawful.

DRAFT - NOT FOR EXECUTION
ADDENDUM
EXPERIMENTAL REAL-TIME PRICING

This ADDENDUM, dated _____, 2012, supplements the electric service CONTRACT dated _____, by and between KENTUCKY POWER COMPANY, hereafter called the Company, and _____, hereafter called the Customer, and sometimes collectively referred to as the "Parties", providing for service under the Company's Tariff R.T.P. (Experimental Real-Time Pricing Tariff)..

W I T N E S S E T H:

WHEREAS, the Customer is an existing customer of the Company that owns facilities at its _____, located near _____; and

WHEREAS, the Customer has requested service under the Company's Tariff R.T.P. for the facilities at _____, located near _____.

NOW THEREFORE, in consideration of the promises and the mutual covenants contained herein, and subject to the terms and conditions herein, the Parties agree as follows:

The Customer represents and agrees that it owns the facilities at _____, located near _____, that it meets the criteria to qualify for Tariff R.T.P., as approved by and on file with the Kentucky Public Service Commission ("Commission"), and that it has the ability to monitor and respond to real-time prices in the wholesale electricity market. A copy of the Company's current Tariff R.T.P. (Experimental Real-Time Pricing Service) is attached hereto and incorporated herein.

The Company agrees to provide service for the Customer's _____, located near _____, as that service is defined in the Company's Tariff R.T.P. and the Customer agrees to pay for such service, in accordance with, at the rates specified in, and subject to the terms and conditions of service applicable, as specified in the Company's then current Tariff R.T.P. and the Company's Terms and Conditions of Service, or any successor thereto approved by and on file with the Commission.

DRAFT - NOT FOR EXECUTION

This Addendum covers the provision of service for the Customer's facility, for which the Contract Capacity subject to Tariff C.I.P.-T.O.D. (Commercial and Industrial Power Time-of-Day) designated by the Customer is set at _____kW. Usage in excess of that Contract Capacity subject to Tariff C.I.P.-T.O.D. shall be billed under Tariff R.T.P. It is understood and agreed the Total Contract Capacity, which is defined as the Contract Capacity subject to Tariff C.I.P.-T.O.D. plus the Contract Capacity subject to Tariff R.T.P., shall not exceed _____ kW.

The term of this Addendum shall commence at 12:01 a.m. EDT on _____ and expire at 11:59 p.m EDT on _____. Upon expiration of this Addendum, all terms and conditions of the Contract that were modified by this Addendum shall revert to their existence and meaning prior to having been so modified.

Except as modified by this Addendum, the provisions of the Contract shall continue in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have caused this Experimental Real-Time Pricing Addendum to be duly executed the day and year first above written.

Kentucky Power Company
By: _____

Title: Manager
Date: _____

(Customer Name)
By: _____

Title: _____
Date: _____

Account Number:

Exhibit C

EXHIBIT C

"Johnson, Ron" <Ron.Johnson@airliquide.com>

06/28/2012 05:44 PM

To "ggpauley@aep.com" <ggpauley@aep.com>

cc "James (Bud) Clark (jcclark1@aep.com)" <jcclark1@aep.com>, "moverstreet@stiles.com" <moverstreet@stiles.com>, "rkwohnhas@aep.com" <rkwohnhas@aep.com>, "Smith, Bill(Houston)" <Bill.Smith@Airliquide.com>, "Valcarcel, Lynn" <Lynn.Valcarcel@Airliquide.com>, "Johnson, Ron" <Ron.Johnson@airliquide.com>

Subject: Tariff-RTP Air Liquide Addendum

Dear Mr. Pauley,

Please find attached, Air Liquide's addendum requesting service under Kentucky Power Tariff RTP, designating 4.6mw of our load on tariff CIP-TOD and the remainder of our load on Tariff RTP for service beginning July 1, 2012. I am advised by counsel that by Order entered June 28, 2012 in Case No. 2012-00226 the KPSC confirmed that the existing Tariff RTP has not been suspending and remains in full force and effect. Under the existing Tariff RTP, the capacity price is to reflect the currently effective PJM RPM price of \$16/mw-day for the 2012/2013 Planning Year.

Therefore, as confirmed by the KPSC Order, we have a legal entitlement to take service under the lawful Tariff RTP effective July 1, 2012 and expect Kentucky Power to comply with the KPSC's Order.

Please confirm that you will honor our July 1, 2012 request.

Ron B. Johnson

Energy Manager

<[ATT00002.jpg](#)>

2700 Post Oak Blvd, Suite 1800
Houston, Tx 77056

713-402-2147 office

713-320-6696 cell

713-803-5541 fax

ron.johnson@airliquide.com

[attachment "Air Liquide 06-28-12 Tariff RTP Addendum (partially executed).pdf" deleted by Ranie K Wohnhas/OR3/AEPIN]

Exhibit D

EXHIBIT D

From: rkwohnhas@aep.com [mailto:rkwohnhas@aep.com]
Sent: Friday, June 29, 2012 03:02 PM
To: Johnson, Ron
Cc: ggpauley@aep.com <ggpauley@aep.com>
Subject: Re: Tariff-RTP Air Liquide Addendum

Mr. Johnson,

I am responding on behalf of Mr. Pauley to your email below. Kentucky Power regrets it can not honor Air Liquide Large Industrial US LP's request for service under Tariff RTP beginning July 1, 2012. Tariff RTP, which is an experimental tariff, is limited to ten customers. As used in Tariff RTP each billing account represents a customer. Requests for service under Tariff RTP were processed in the order received. There are ten customers who requested service under Tariff RTP prior to Air Liquide.

Ranie K. Wohnhas
Managing Director, Regulatory and Finance
Kentucky Power
Audinet 605-7004
Outside 502-696-7004
Cell 502-545-8750