

# Goss ■ Samford PLLC



Attorneys at Law

August 23, 2013

RECEIVED

AUG 23 2013

PUBLIC SERVICE  
COMMISSION

Mr. Jeff Derouen  
Executive Director  
Kentucky Public Service Commission  
P.O. Box 615  
211 Sower Boulevard  
Frankfort, KY 40602

Re: Case No. 2013-00140

Dear Mr. Derouen:

Please find enclosed for filing with the Commission in the above-referenced case an original and ten copies of East Kentucky Power Cooperative, Inc.'s Motion for Submission for Adjudication Without a Hearing.

Please contact me if you have any questions.

Very truly yours,

Mark David Goss  
Counsel

Enclosures

Cc: Parties of Record

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

RECEIVED  
AUG 28 2013  
PUBLIC SERVICE COMMISSION

**IN THE MATTER OF:**

<b>AN EXAMINATION BY THE PUBLIC SERVICE</b>	)	
<b>COMMISSION OF THE ENVIRONMENTAL</b>	)	
<b>SURCHARGE MECHANISM OF EAST KENTUCKY</b>	)	
<b>POWER COOPERATIVE, INC. FOR THE</b>	)	<b>CASE NO.</b>
<b>SIX-MONTH BILLING ENDING DECEMBER 31, 2012</b>	)	<b>2013-00140</b>
<b>AND THE PASS-THROUGH MECHANISM</b>	)	
<b>FOR ITS SIXTEEN MEMBER DISTRIBUTION</b>	)	
<b>COOPERATIVES</b>	)	

**EAST KENTUCKY POWER COOPERATIVE, INC.'S  
MOTION FOR SUBMISSION FOR ADJUDICATION ON THE EXISTING CASE  
RECORD WITHOUT A HEARING**

Comes now East Kentucky Power Cooperative, Inc. ("EKPC"), by and through counsel, and moves the Kentucky Public Service Commission ("Commission") to accept its request for submitting the case for adjudication on the existing case record without a hearing. EKPC is also filing this Motion on behalf of each of its 16 Member Distribution Cooperatives, all of which are parties to this proceeding. The Member Distribution Cooperatives are: Big Sandy Rural Electric Cooperative Corporation; Blue Grass Energy Cooperative Corporation; Clark Energy Cooperative, Inc.; Cumberland Valley Electric, Inc.; Farmers Rural Electric Cooperative Corporation; Fleming-Mason Energy Cooperative; Grayson Rural Electric Cooperative Corporation; Inter-County Energy Cooperative Corporation; Jackson Energy Cooperative; Licking Valley Rural Electric Cooperative Corporation; Nolin Rural Electric Cooperative Corporation; Owen Electric Cooperative; Salt River Electric Cooperative Corporation; Shelby Energy Cooperative, Inc.; South Kentucky Rural Electric Cooperative Corporation; and Taylor County Rural Electric Cooperative Corporation.

In support of this Motion, EKPC states that the Commission entered an Order on May 14, 2013, opening this six-month review proceeding. On May 23, 2013 EKPC filed a motion to amend the procedural schedule and the Commission entered an Order on May 31, 2013 amending the original procedural schedule. The amended procedural schedule required EKPC and its Member Distribution Cooperatives to respond to initial data requests on June 14, 2013. The procedural schedule allowed for Commission Staff to serve additional data requests on EKPC and its Member Distribution Cooperatives on July 19, 2013. Commission Staff did not serve additional data requests on EKPC or its Member Distribution Cooperatives.

The procedural schedule allows for intervenor testimony and discovery; however, there are no intervenors in this proceeding. The procedural schedule also allows for EKPC and its Member Distribution Cooperatives to request this case be submitted for decision based on the record by September 20, 2013. EKPC and its Member Distribution Cooperatives believe the case record is complete and since there are no intervenors there is no need to wait until September 20, 2013 to request the submission of the case for a decision based on the record. Consequently, this case can be submitted for adjudication on the existing record without a hearing.

WHEREFORE, EKPC respectfully requests that the Commission accept for submission this case for Adjudication on the Existing Record Without a Hearing.

Dated this 23<sup>rd</sup> day of August 2013.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark D. Goss", with a long horizontal flourish extending to the right.

Mark David Goss  
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*Counsel for East Kentucky Power Cooperative, Inc.*

## CERTIFICATE OF SERVICE

This will certify that a true and correct copy of the foregoing was served, by depositing same in the custody and care of the U.S. Mail, postage pre-paid, on this 23<sup>rd</sup> day of August 2013, addressed to the following:

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Counsel for East Kentucky Power Cooperative, Inc.