



Steven L. Beshear  
Governor

Leonard K. Peters  
Secretary  
Energy and Environment Cabinet

Commonwealth of Kentucky  
**Public Service Commission**  
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psc.ky.gov

David L. Armstrong  
Chairman

James W. Gardner  
Vice Chairman

Linda Breathitt  
Commissioner

February 14, 2013

TO: DIVISION OF FILINGS

RE: Case No. 2012-00578

Application of Kentucky Power Company for (1) a Certificate of Public Convenience and Necessity Authorizing the Transfer to the Company of an Undivided Fifty Percent Interest in the Mitchell Generating Station and Associated Assets; (2) Approval of the Assumption by Kentucky Power Company of Certain Liabilities in Connection with the Transfer of the Mitchell Generating Station; (3) Declaratory Rulings; (4) Deferral of Costs Incurred in Connection with the Company's Efforts to Meet Federal Clean Air Act and Related Requirements; and (5) All Other Required Approvals and Relief

Please file the two enclosed electronic mail (e-mail) documents, sent by Commission Staff on February 12, 2013, and February 14, 2013, in the administrative record of the above-referenced case.

Sincerely

  
Jeff Derouen  
Executive Director

QDN/kar  
Enclosures

## Nguyen, Quang D (PSC)

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**From:** Nguyen, Quang D (PSC)  
**Sent:** Tuesday, February 12, 2013 10:50 AM  
**To:** mkurtz@bklawfirm.com; Jody Kyler (jkyler@bklawfirm.com); Kurt Boehm (KBoehm@bklawfirm.com); Hans, Jennifer (KYOAG); Howard, Dennis (KYOAG); Cook, Larry (KYOAG); childerslaw81@gmail.com; sfisk@earthjustice.org; 'robb.kapla@sierraclub.org'  
**Cc:** moverstreet@stites.com; bcrittenden@stites.com; 'kgish@stites.com'; Raff, Richard (PSC); Cole, Aaron Ann (PSC)  
**Subject:** FW: Vantage Letter of Agreement  
**Attachments:** FRANKFORT-#22522-v1-Kentucky\_Power\_Vantage\_Agreement\_Language\_02\_11\_13.DOCX

Counsel –

Please find attached a proposed revision by Kentucky Power to the draft Letter of Agreement. Should any of the parties have any objections to the proposed revision, please provide them by replying to this email by close of business tomorrow, February 13. Thanks.

Quang D. Nguyen  
Staff Attorney  
Kentucky Public Service Commission  
211 Sower Blvd.  
Frankfort, KY 40602-0615  
Office: (502) 564-3940, ext. 256  
Fax: (502) 564-7279  
Email: [QuangD.Nguyen@ky.gov](mailto:QuangD.Nguyen@ky.gov)  
Website: <http://psc.ky.gov>



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**From:** Overstreet, Mark R. [<mailto:MOVERSTREET@stites.com>]  
**Sent:** Tuesday, February 12, 2013 7:42 AM  
**To:** Nguyen, Quang D (PSC)  
**Cc:** [rkwohnhas@aep.com](mailto:rkwohnhas@aep.com)  
**Subject:** Vantage Letter of Agreement

Quang:

Attached is the language (in red) that Kentucky Power offers with respect to paragraph 5 of the letter of agreement. Please let me know if you have any questions.

**Mark R. Overstreet**

*Member*

*Direct 502-209-1219*

*Fax 502-223-4387*

[moverstreet@stites.com](mailto:moverstreet@stites.com)

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## Nguyen, Quang D (PSC)

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**From:** Overstreet, Mark R. <MOVERSTREET@stites.com>  
**Sent:** Thursday, February 14, 2013 12:20 PM  
**To:** Nguyen, Quang D (PSC)  
**Cc:** Crittenden, R. Ben; Gish, Jr., Kenneth J.; Raff, Richard (PSC); Cole, Aaron Ann (PSC); 'mkurtz@bkllawfirm.com'; 'Jody Kyler (jkyler@bkllawfirm.com)'; 'Kurt Boehm (KBoehm@bkllawfirm.com)'; Howard, Dennis (KYOAG); Hans, Jennifer (KYOAG); Cook, Larry (KYOAG); 'childerslaw81@gmail.com'; 'sfisk@earthjustice.org'; 'robb.kapla@sierraclub.org'  
**Subject:** RE: Vantage Letter of Agreement

Thank you.

**Mark R. Overstreet**

*Member*

*Direct 502-209-1219*

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[moverstreet@stites.com](mailto:moverstreet@stites.com)

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**From:** Nguyen, Quang D (PSC) [mailto:QuangD.Nguyen@ky.gov]  
**Sent:** Thursday, February 14, 2013 12:19 PM  
**To:** Overstreet, Mark R.  
**Cc:** Crittenden, R. Ben; Gish, Jr., Kenneth J.; Raff, Richard (PSC); Cole, Aaron Ann (PSC); 'mkurtz@bkllawfirm.com'; 'Jody Kyler (jkyler@bkllawfirm.com)'; 'Kurt Boehm (KBoehm@bkllawfirm.com)'; Howard, Dennis (KYOAG); Hans, Jennifer (KYOAG); Cook, Larry (KYOAG); 'childerslaw81@gmail.com'; 'sfisk@earthjustice.org'; 'robb.kapla@sierraclub.org'  
**Subject:** RE: Vantage Letter of Agreement

Mark –

The Commission is agreeable to the proposed revised language to paragraph 5 of the letter of agreement. I've attached the tracked change version as well as a clean version of the letter of agreement. If it meets with Kentucky Power's approval, please sign and mail the original to me. Thanks.

---

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**Cc:** [moverstreet@stites.com](mailto:moverstreet@stites.com); [bcrittenden@stites.com](mailto:bcrittenden@stites.com); 'kgish@stites.com'; Raff, Richard (PSC); Cole, Aaron Ann (PSC)  
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