

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF FLEMING-MASON ENERGY	)	
COOPERATIVE, INC. TO PASS-THROUGH AN	)	CASE NO.
INCREASE OF ITS WHOLESALE POWER	)	2008-00415
SUPPLIER PURSUANT TO KRS 278.455(2)	)	

ORDER

On October 31, 2008, Fleming-Mason Energy Cooperative, Inc. (“Fleming-Mason”) submitted an application to pass-through any wholesale rate adjustment granted to East Kentucky Power Cooperative, Inc. (“EKPC”) in Case No. 2008-00409.<sup>1</sup> Fleming-Mason submitted its application pursuant to the authority of KRS 278.455(2) and 807 KAR 5:007, Section 2.

In its application, Fleming-Mason described how its proposed pass-through rates were developed:

In accordance with the provisions of KRS 278.455(2), Fleming-Mason Energy Cooperative, Inc. hereby states that the effects of the increase in rates from its wholesale supplier, EKPC, are being passed through to its retail tariffs on a proportional basis and that the rate design structure proposed for each retail rate schedule does not change the rate design currently in effect.<sup>2</sup>

KRS 278.455(2) provides that a distribution cooperative may change its rates to reflect a change in the rate of its wholesale supplier if the effects of an increase or decrease are allocated to each class and within each tariff on a proportional basis that

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<sup>1</sup> Case No. 2008-00409, General Adjustment of Electric Rates of East Kentucky Power Cooperative, Inc. (Ky. PSC March 31, 2009)

<sup>2</sup> Application, Page 1.

will result in no change in the rate design currently in effect. Further, 807 KAR 5:007, Section 2(2), provides that the distribution cooperative shall file an analysis demonstrating that the rate change does not alter the rate design currently in effect and that the revenue change has been allocated to each class and within each tariff on a proportional basis.

The Commission has reviewed the approach proposed by Fleming-Mason to pass-through any increases in the wholesale rates of EKPC and to allocate such increases to its retail rates. Based upon this review, the Commission finds that Fleming-Mason's approach complies with the provisions of KRS 278.455(2) and 807 KAR 5:007, Section 2(2), and, therefore, should be accepted.

The Commission issued an Order in Case No. 2008-00409 on March 31, 2009 authorizing a \$59.5 million annualized increase in EKPC's wholesale rates effective for service rendered on and after April 1, 2009. According to Fleming-Mason, this will increase its wholesale power cost by \$4,926,840 annually.<sup>3</sup>

IT IS THEREFORE ORDERED that:

1. The proposed rates submitted with Fleming-Mason's application are rejected.
2. The approach proposed by Fleming-Mason to allocate its portion of the increase in the wholesale rates authorized in Case No. 2008-00409 is accepted.
3. The rates set forth in the tariff sheets in the Appendix hereto are approved for service rendered on and after April 1, 2009.

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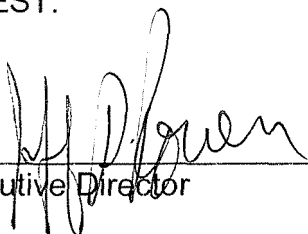
<sup>3</sup> Response to Commission Staff's Supplemental Data Request issued on March 18, 2009.

4. Within 20 days from the date of this Order, Fleming-Mason shall file with the Commission its revised tariffs, setting out the rates approved herein and stating that they were approved pursuant to this Order.

By the Commission

ENTERED  
MAR 31 2009 *al*  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:

  
\_\_\_\_\_  
Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2008-00415 DATED

**Form for Filing Rate Schedules**

For All Territory Served

Fleming-Mason Energy  
Cooperative, Inc.  
P. O. Box 328  
Flemingsburg, KY 41041

P.S.C. No. 3  
25th Revised Sheet No. 1  
Cancelling P.S.C. No. 3  
24th Revised Sheet No. 1

**Name of Issuing Corporation**

CLASSIFICATION OF SERVICE (I)	
Residential and Small Power - Schedule RSP	Rate Per Unit
<p><u>Applicability:</u> Available to all members of the Cooperative for all service requiring not more than 25kVa of transformer capacity. All use is subject to the established rules and regulations of the Cooperative.</p>	
<p><u>Character of Service:</u> Single-phase 60 Hertz at 120/240 volts alternating current, or where available, three-phase 60 Hertz at 120/240 volts alternating current.</p>	
<p><u>Monthly Rate:</u></p>	
Customer Charge	\$10.40/Meter
Energy Charge - For All kWh	0.08067/kWh
<p><u>Minimum Charge:</u> The monthly customer charge. For temporary or seasonal service a minimum charge of \$124.80 is required, payable at the time of request for service.</p>	
<p><u>Temporary Service:</u> Temporary service shall be supplied in accordance with the foregoing rate except that the customer shall pay in addition to the foregoing charges the total cost of connecting and disconnecting service less the value of materials returned to stock. The Cooperative may require a deposit, in advance, or the full amount of the estimated bill for service, including the cost of connection and disconnection.</p>	

Date of Issue 03/26/09  
Issued By \_\_\_\_\_

Date Effective 04/01/09  
Title President and CEO

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Cooperative, Inc.  
P. O. Box 328  
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P.S.C. No. 3  
16th Revised Sheet No. 1d  
Cancelling P.S.C. No. 3  
15th Revised Sheet No. 1d

**Name of Issuing Inc.**

<b>CLASSIFICATION OF SERVICE (I)</b>							
<b>Residential and Small Power - Electric Thermal Storage Sch RSP-ETS</b>	<b>Rate Per Unit</b>						
<p>OFF-PEAK Retail Marketing Rate</p> <p><u>Availability of Service:</u> Available to consumers eligible for Tariff Residential and Small Power Schedule. The electric power and energy furnished under Tariff Residential and Small Power OFF-PEAK Retail Marketing Rate shall be separately metered for each point of delivery. Other power and energy furnished will be billed under Residential and Small Power Schedule.</p> <p><u>Character of Service:</u> Single-phase 60 Hertz at 120/240 volts alternating current, or where available, three-phase 60 Hertz at 120/240 volts alternating current.</p> <p><u>Monthly Rate:</u> Energy Charge - For All kWh</p> <p><u>Schedule of Hours:</u> This rate is only applicable for the below listed off-peak hours:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 40%;"><u>Months</u></td> <td style="width: 60%;"><u>OFF-PEAK Hours – EST</u></td> </tr> <tr> <td>October thru April</td> <td>12:00 Noon to 5:00 P.M. 10:00 P.M. to 7:00 A.M.</td> </tr> <tr> <td>May thru September</td> <td>10:00 P.M. to 10:00 A.M.</td> </tr> </table>	<u>Months</u>	<u>OFF-PEAK Hours – EST</u>	October thru April	12:00 Noon to 5:00 P.M. 10:00 P.M. to 7:00 A.M.	May thru September	10:00 P.M. to 10:00 A.M.	<p>4.840c/kWh</p>
<u>Months</u>	<u>OFF-PEAK Hours – EST</u>						
October thru April	12:00 Noon to 5:00 P.M. 10:00 P.M. to 7:00 A.M.						
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P.S.C. No. 3  
26th Revised Sheet No. 2  
Cancelling P.S.C. No. 3  
25th Revised Sheet No. 2

**Name of Issuing Corporation**

CLASSIFICATION OF SERVICE	
Small General Service - Schedule SGS	Rate Per Unit
<p><u>Applicability:</u> Available to all members of the Cooperative for all service requiring 30kva to 112.5kva transformer capacity. All use is subject to the established rules and regulations of the Cooperative.</p> <p><u>Character of Service:</u> Single-phase 60 Hertz alternating current, or where available, three-phase 60 Hertz alternating current, at the Cooperative's prevailing voltage levels.</p> <p><u>Monthly Rate:</u></p> <p style="padding-left: 40px;">Customer Charge Demand Charge - Per Billing KW Energy Charge - All kwh</p> <p><u>Determination of Billing Demand:</u> The billing demand shall be the maximum average kilowatt load used by the consumer for any period of fifteen consecutive minutes during the month for which the bill is rendered, as indicated or recorded by a demand meter.</p> <p><u>Power Factor:</u> The consumer agrees to maintain unity power factor as nearly as practicable. The Cooperative reserves the right to measure such power factor at the time. Should such measurements indicate that the power factor at the time of maximum demand is less than 90%, the demand for billing purposes shall be the demand as indicated or recorded by the demand meter multiplied by 90% and divided by the percent power factor.</p>	<p>\$47.29/Meter 7.12/KW 5.842c/kwh</p>

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P.S.C. No. 3  
25th Revised Sheet No. 2a  
**Cancelling P.S.C. No. 3**  
24th Revised Sheet No. 2a

**Name of Issuing Corporation**

CLASSIFICATION OF SERVICE	
Small General Service - Schedule SGS	Rate Per Unit
<p><u>Minimum Charge:</u> The monthly customer charge. For temporary or seasonal service a minimum charge of \$567.48 per annum is required in lieu of the monthly customer charge payable at the time of request for service.</p> <p><u>Temporary Service:</u> Temporary service shall be supplied in accordance with the foregoing rate except that the customer shall pay in addition to the foregoing charges the total cost of connecting and disconnecting service less the value of materials returned to stock. The Cooperative may require a deposit, in advance, or the full amount of the estimated bill for service, including the cost of connection and disconnection.</p> <p><u>Fuel Adjustment Clause:</u> The above rate may be increased or decreased by an amount per kWh equal to the fuel adjustment amount per kWh as billed by the Wholesale Power Supplier plus an allowance for line losses. The allowance for line losses will not exceed 10% and is based on a twelve month moving average of such losses. This fuel clause is subject to all other applicable provisions as set out in 807 KAR 5:056.</p>	

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P.S.C. No. 3  
28th Revised Sheet No. 3  
Cancelling P.S.C. No. 3  
27th Revised Sheet No. 3

**Name of Issuing Corporation**

<b>CLASSIFICATION OF SERVICE (I)</b>	
<b>Large General Service - Schedule LGS</b>	<b>Rate Per Unit</b>
<p><u>Applicability:</u> Available to all members of the Cooperative for all service requiring greater than 112.5kva at voltages of 25kv or less. All use is subject to the established rules and regulations of the Cooperative.</p> <p><u>Character of Service:</u> Three-phase 60 Hertz alternating current at the Cooperative's prevailing voltage levels.</p> <p><u>Monthly Rate:</u></p> <p style="padding-left: 40px;">Customer Charge Demand Charge - Per Billing KW Energy Charge - All kwh</p> <p><u>Determination of Billing Demand:</u> The billing demand shall be the maximum kilowatt demand established by the consumer for any period of fifteen consecutive minutes during the month for which the bill is rendered, as indicated or recorded by a demand meter and adjusted for power factor as provided below.</p> <p><u>Power Factor Adjustment:</u> The consumer agrees to maintain unity power factor as nearly as practicable. Power factor may be measured at any time. Should such measurements indicate that the power factor at the time of maximum demand is less than 90%, the demand for billing purposes shall be the demand as indicated or recorded by the demand meter multiplied by 90% and divided by the percent power factor.</p>	<p>\$62.93/Meter \$ 6.66/kW \$4.752c/kWh</p>

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P.S.C. No. 3  
28th Revised Sheet No. 3a  
Cancelling P.S.C. No. 3  
27th Revised Sheet No. 3a

**Name of Issuing Corporation**

CLASSIFICATION OF SERVICE	
Large General Service - Schedule LGS	Rate Per Unit
<p><u>Minimum Charge:</u> The monthly customer charge. For temporary or seasonal service a minimum charge of \$755.16 per annum is required in lieu of the monthly customer charge payable at the time of request for service.</p> <p><u>Temporary Service:</u> Temporary service shall be supplied in accordance with the foregoing rate except that the customer shall pay in addition to the foregoing charges the total cost of connecting and disconnecting service less the value of materials returned to stock. The Cooperative may require a deposit, in advance, or the full amount of the estimated bill for service, including the cost of connection and disconnection.</p> <p><u>Fuel Adjustment Clause:</u> The above rate may be increased or decreased by an amount per kWh equal to the fuel adjustment amount per kWh as billed by the Wholesale Power Supplier plus an allowance for line losses. The allowance for line losses will not exceed 10% and is based on a twelve month moving average of such losses. This fuel clause is subject to all other applicable provisions as set out in 807 KAR 5:056.</p>	

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For All Territory Served

P.S.C. No. 3

26th Revised Sheet No. 4a

**Cancelling P.S.C. No. 3**

25th Revised Sheet No. 4a

**Name of Issuing Corporation**

CLASSIFICATION OF SERVICE (I)			
Outdoor Lighting Service - Schedule OLS			Rate Per Unit
<p>excess of 300 feet, plus the cost difference if any, for that portion of the service or facilities under 300 feet. In a similar manner the member will pay the difference in the cost of operation and maintaining such a system or equipment and the cost of operation and maintaining a conventional overhead system.</p> <p>5. Any installation costs which are to be borne by the member are due and payable at the time of installation.</p> <p><u>Monthly Rate:</u></p>			
<u>Mercury Vapor</u>	<u>Watt</u>		
7,000 Lumens (approx.)	207	Standard Service	\$ 8.29/Mo.
		Ornamental Service	18.93/Mo.
20,000 Lumens (approx.)	453	Standard Service	\$15.93/Mo.
		Ornamental Service	25.16/Mo.
<u>High Pressure Sodium</u>	<u>Watt</u>		
9,500 Lumens (approx.)	117	Standard Service	\$ 8.12/Mo.
		Ornamental Service	17.32/Mo.
		Directional Service	8.21/Mo.
22,000 Lumens (approx.)	242	Standard Service	\$11.50/Mo.
		Ornamental Service	20.72/Mo.
		Directional Service	11.28/Mo.
50,000 Lumens (approx.)	485	Standard Service	\$17.27/Mo.
		Ornamental Service	26.00/Mo.
		Directional Service	16.92/Mo.

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P.S.C. No. 3  
28<sup>th</sup> Revised Sheet No. 1  
Cancelling P.S.C. No. 3  
27th Revised Sheet No. 1

**Name of Issuing Corporation**

<b>CLASSIFICATION OF SERVICE (I)</b>	
<b>All Electric School - Schedule AES</b>	<b>Rate Per Unit</b>
<p><u>Applicability:</u> Available to all public or nonprofit private schools whose total energy requirement excluding lighting for athletic fields, is supplied by electricity furnished by the Cooperative.</p> <p><u>Character of Service:</u> Single or three-phase 60 Hertz alternating current, at the Cooperative's prevailing voltage levels.</p> <p><u>Monthly Rate:</u></p> <p style="padding-left: 40px;">Customer Charge Energy Charge - For All kWh</p> <p><u>Minimum Charge:</u> The minimum annual charge will be not less than \$19.00 per kva of required transformer capacity as determined by the Cooperative.</p> <p><u>Term of Contract:</u> Service under this rate schedule will be furnished under an "Agreement for purchase of Power" for a term of not less than five (5) years.</p>	<p>\$62.33/Meter 7.543c/kWh</p>

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P.S.C. No. 3  
25th Revised Sheet No. 7  
Cancelling P.S.C. No. 3  
24rd Revised Sheet No. 7

**Name of Issuing Corporation**

CLASSIFICATION OF SERVICE (I)																	
Large Industrial Service - Schedule LIS 3	Rate Per Unit																
<p><u>Applicability:</u> Available to all members of the Cooperative for all service where the monthly contract demand is 10,000KW and above. All use is subject to the established rules and regulations of the Cooperative.</p> <p><u>Condition:</u> An "Agreement for Purchased Power" shall be executed by the consumer for service under this schedule.</p> <p><u>Character of Service:</u> Three-phase 60 Hertz alternating current as specified in Agreement for Purchased Power.</p> <p><u>Monthly Rate:</u></p> <table style="width: 100%; border: none;"> <tr> <td style="padding-left: 40px;">Customer Charge</td> <td style="text-align: right;">\$1173.68/Mo</td> </tr> <tr> <td style="padding-left: 40px;">Demand Charge - Per Billing KW</td> <td style="text-align: right;">7.02/kW</td> </tr> <tr> <td style="padding-left: 40px;">Energy Charge - For All kwh</td> <td style="text-align: right;">4.193c/kWh</td> </tr> </table> <p><u>Determination of Billing Demand:</u> The monthly billing demand shall be the greater of (A) or (B) listed</p> <table style="width: 100%; border: none;"> <tr> <td style="padding-left: 20px;">(A) The contract demand</td> <td></td> </tr> <tr> <td style="padding-left: 20px;">(B) The kilowatt demand as metered at the load center shall be the highest average rate at which energy is used during any fifteen minute interval during the current month during the below listed hours:</td> <td></td> </tr> <tr> <td style="padding-left: 40px;"><u>Months</u></td> <td style="padding-left: 40px;"><u>Hours Applicable for Demand Billing-EST</u></td> </tr> <tr> <td style="padding-left: 20px;">October - April</td> <td style="padding-left: 20px;">7:00 A.M. to 12:00 Noon; 5:00 P.M. to 10:00 P.M.</td> </tr> <tr> <td style="padding-left: 20px;">May - September</td> <td style="padding-left: 20px;">10:00 A.M. to 10:00 P.M.</td> </tr> </table>		Customer Charge	\$1173.68/Mo	Demand Charge - Per Billing KW	7.02/kW	Energy Charge - For All kwh	4.193c/kWh	(A) The contract demand		(B) The kilowatt demand as metered at the load center shall be the highest average rate at which energy is used during any fifteen minute interval during the current month during the below listed hours:		<u>Months</u>	<u>Hours Applicable for Demand Billing-EST</u>	October - April	7:00 A.M. to 12:00 Noon; 5:00 P.M. to 10:00 P.M.	May - September	10:00 A.M. to 10:00 P.M.
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P.S.C. No. 3  
14th Revised Sheet No. 8  
Cancelling P.S.C. No. 3  
13th Revised Sheet No. 8

**Name of Issuing Corporation**

CLASSIFICATION OF SERVICE (I)													
Large Industrial Service - Schedule LIS 1	Rate Per Unit												
<p><u>Applicability:</u> Available to all members of the Cooperative for all service where the monthly contract demand is between 1000KW and 4999 KW. All use is subject to the established rules and regulations of the Cooperative.</p> <p><u>Condition:</u> An "Agreement for Purchased Power" shall be executed by the consumer for service under this schedule.</p> <p><u>Character of Service:</u> Three-phase 60 Hertz alternating current as specified in Agreement for Purchased Power.</p> <p><u>Monthly Rate:</u></p> <table style="width: 100%; border: none;"> <tr> <td style="padding-left: 40px;">Customer Charge</td> <td style="text-align: right;">\$587.40/Mo.</td> </tr> <tr> <td style="padding-left: 40px;">Demand Charge - Per Billing KW</td> <td style="text-align: right;">8.59/KW</td> </tr> <tr> <td style="padding-left: 40px;">Energy Charge - For All kwh</td> <td style="text-align: right;">4.666c/kwh</td> </tr> </table> <p><u>Determination of Billing Demand:</u> The monthly billing demand shall be the greater of (A) or (B) listed below:</p> <p style="padding-left: 40px;">(A) The contract demand</p> <p style="padding-left: 20px;">(B) The kilowatt demand as metered at the load center shall be the highest average rate at which energy is used during any fifteen minute interval during the current month during the below listed hours:</p> <table style="width: 100%; border: none;"> <thead> <tr> <th style="text-align: left;"><u>Months</u></th> <th style="text-align: left;"><u>Hours Applicable for Demand Billing-EST</u></th> </tr> </thead> <tbody> <tr> <td style="padding-left: 20px;">October - April</td> <td style="padding-left: 20px;">7:00 A.M. to 12:00 Noon; 5:00 P.M. to 10:00 P.M.</td> </tr> <tr> <td style="padding-left: 20px;">May - September</td> <td style="padding-left: 20px;">10:00 A.M. to 10:00 P.M.</td> </tr> </tbody> </table>		Customer Charge	\$587.40/Mo.	Demand Charge - Per Billing KW	8.59/KW	Energy Charge - For All kwh	4.666c/kwh	<u>Months</u>	<u>Hours Applicable for Demand Billing-EST</u>	October - April	7:00 A.M. to 12:00 Noon; 5:00 P.M. to 10:00 P.M.	May - September	10:00 A.M. to 10:00 P.M.
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14th Revised Sheet No. 9  
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13th Revised Sheet No. 9

**Name of Issuing Corporation**

<b>CLASSIFICATION OF SERVICE (I)</b>													
<b>Large Industrial Service - Schedule LIS 2</b>	<b>Rate Per Unit</b>												
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For All Territory Served

Fleming-Mason Energy  
 Cooperative, Inc.  
 P. O. Box 328  
 Flemingsburg, KY 41041

P.S.C. No. 3  
14th Revised Sheet No. 10  
 Cancelling P.S.C. No. 3  
13th Revised Sheet No. 10

**Name of Issuing Corporation**

CLASSIFICATION OF SERVICE (I)													
Large Industrial Service - Schedule LIS 4	Rate Per Unit												
<p><u>Applicability:</u>                      Available to all members of the Cooperative for individual metered service where the monthly contract demand is 500 - 4999 KW with a monthly energy usage equal to or greater then 400 hours per KW of billing demand.</p> <p><u>Condition:</u>                      An "Agreement for Purchased Power" shall be executed by the consumer for service under this schedule.</p> <p><u>Character of Service:</u>                      Three-phase 60 Hertz alternating current as specified in Agreement for Purchased Power.</p> <p><u>Monthly Rate:</u></p> <table style="width: 100%; border: none;"> <tr> <td style="padding-left: 40px;">Customer Charge</td> <td style="text-align: right;">\$587.40/Mo.</td> </tr> <tr> <td style="padding-left: 40px;">Demand Charge - Per Billing KW</td> <td style="text-align: right;">5.92/kW</td> </tr> <tr> <td style="padding-left: 40px;">Energy Charge - For All kwh</td> <td style="text-align: right;">4.867c/kWh</td> </tr> </table> <p><u>Determination of Billing Demand:</u>                      The monthly billing demand shall be the greater of (A) or (B) listed below</p> <p>(A) The contract demand</p> <p>(B) The ultimate consumer's highest demand during the current month or preceding eleven months coincide with load center's peak demand. The load center's peak demand is the highest average rate at which energy is used during any fifteen minute interval in the below listed hours for each month and adjusted for power factor as provided herein:</p> <table style="width: 100%; border: none;"> <thead> <tr> <th style="text-align: left;"><u>Months</u></th> <th style="text-align: left;"><u>Hours Applicable for Demand Billing-EST</u></th> </tr> </thead> <tbody> <tr> <td>October - April</td> <td>7:00 A.M. to 12:00 Noon; 5:00 P.M. to 10:00 P.M.</td> </tr> <tr> <td>May - September</td> <td>10:00 A.M. to 10:00 P.M.</td> </tr> </tbody> </table>		Customer Charge	\$587.40/Mo.	Demand Charge - Per Billing KW	5.92/kW	Energy Charge - For All kwh	4.867c/kWh	<u>Months</u>	<u>Hours Applicable for Demand Billing-EST</u>	October - April	7:00 A.M. to 12:00 Noon; 5:00 P.M. to 10:00 P.M.	May - September	10:00 A.M. to 10:00 P.M.
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Date of Issue 03/26/09

Date Effective 04/01/09

Issued By \_\_\_\_\_

Title President and CEO



**Form for Filing Rate Schedules**

For All Territory Served

Fleming-Mason Energy  
Cooperative, Inc.  
P. O. Box 328  
Flemingsburg, KY 41041

P.S.C. No. 3  
14th Revised Sheet No. 11  
Cancelling P.S.C. No. 3  
13th Revised Sheet No. 11

**Name of Issuing Corporation**

CLASSIFICATION OF SERVICE													
Large Industrial Service - Schedule LIS 5	Rate Per Unit												
<p><u>Applicability:</u> Available to all members of the Cooperative for individual metered service where the monthly contract demand is 5000 - 9999 KW with a monthly energy usage equal to or greater then 400 hours per KW of billing demand.</p> <p><u>Condition:</u> An "Agreement for Purchased Power" shall be executed by the consumer for service under this schedule.</p> <p><u>Character of Service:</u> Three-phase 60 Hertz alternating current as specified in Agreement for Purchased Power.</p> <p><u>Monthly Rate:</u></p> <table style="width: 100%; border: none;"> <tr> <td style="padding-left: 40px;">Customer Charge</td> <td style="text-align: right;">\$1173.68/Mo</td> </tr> <tr> <td style="padding-left: 40px;">Demand Charge - Per Billing KW</td> <td style="text-align: right;">5.92/kW</td> </tr> <tr> <td style="padding-left: 40px;">Energy Charge - For All kwh</td> <td style="text-align: right;">4.510c/kWh</td> </tr> </table> <p><u>Determination of Billing Demand:</u> The monthly billing demand shall be the greater of (A) or (B) listed below:</p> <p style="padding-left: 40px;">(A) The contract demand</p> <p style="padding-left: 20px;">(B) The ultimate consumer's highest demand during the current month or preceding eleven months coincide with load center's peak demand. The load center's peak demand is the highest average rate at which energy is used during any fifteen minute interval in the below listed hours for each month and adjusted for power factor as provided herein:</p> <table style="width: 100%; border: none;"> <thead> <tr> <th style="text-align: left;"><u>Months</u></th> <th style="text-align: left;"><u>Hours Applicable for Demand Billing-EST</u></th> </tr> </thead> <tbody> <tr> <td style="padding-left: 20px;">October - April</td> <td style="padding-left: 20px;">7:00 A.M. to 12:00 Noon; 5:00 P.M. to 10:00 P.M.</td> </tr> <tr> <td style="padding-left: 20px;">May - September</td> <td style="padding-left: 20px;">10:00 A.M. to 10:00 P.M.</td> </tr> </tbody> </table>		Customer Charge	\$1173.68/Mo	Demand Charge - Per Billing KW	5.92/kW	Energy Charge - For All kwh	4.510c/kWh	<u>Months</u>	<u>Hours Applicable for Demand Billing-EST</u>	October - April	7:00 A.M. to 12:00 Noon; 5:00 P.M. to 10:00 P.M.	May - September	10:00 A.M. to 10:00 P.M.
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Date of Issue 03/26/09

Date Effective 04/01/09

Issued By \_\_\_\_\_

Title President and CEO

**Form for Filing Rate Schedules**

For All Territory Served

Fleming-Mason Energy  
Cooperative, Inc.  
P. O. Box 328  
Flemingsburg, KY 41041

P.S.C. No. 3  
14th Revised Sheet No. 12  
Cancelling P.S.C. No. 3  
13th Revised Sheet No. 12

**Name of Issuing Corporation**

<b>CLASSIFICATION OF SERVICE</b>													
<b>Large Industrial Service - Schedule LIS 6</b>	<b>Rate Per Unit</b>												
<p><u>Applicability:</u> Available to all members of the Cooperative for individual metered service where the monthly contract demand is 10,000 KW and above with a monthly energy usage equal to or greater then 400 hours per KW of billing demand.</p> <p><u>Condition:</u> An "Agreement for Purchased Power" shall be executed by the consumer for service under this schedule.</p> <p><u>Character of Service:</u> Three-phase 60 Hertz alternating current as specified in Agreement for Purchased Power.</p> <p><u>Monthly Rate:</u></p> <table style="width: 100%; border: none;"> <tr> <td style="padding-left: 40px;">Customer Charge</td> <td style="text-align: right;">\$1173.68/Mo</td> </tr> <tr> <td style="padding-left: 40px;">Demand Charge - Per Billing kW</td> <td style="text-align: right;">5.92/kW</td> </tr> <tr> <td style="padding-left: 40px;">Energy Charge - For All kwh</td> <td style="text-align: right;">4.069c/kWh</td> </tr> </table> <p><u>Determination of Billing Demand:</u> The monthly billing demand shall be the greater of (A) or (B) listed below:</p> <p style="padding-left: 40px;">(A) The contract demand</p> <p style="padding-left: 20px;">(B) The ultimate consumer's highest demand during the current month or preceding eleven months coincide with load center's peak demand. The load center's peak demand is the highest average rate at which energy is used during any fifteen minute interval in the below listed hours for each month and adjusted for power factor as provided herein:</p> <table style="width: 100%; border: none;"> <thead> <tr> <th style="text-align: left;"><u>Months</u></th> <th style="text-align: left;"><u>Hours Applicable for Demand Billing-EST</u></th> </tr> </thead> <tbody> <tr> <td style="padding-left: 20px;">October - April</td> <td>7:00 A.M. to 12:00 Noon; 5:00 P.M. to 10:00 P.M.</td> </tr> <tr> <td style="padding-left: 20px;">May - September</td> <td>10:00 A.M. to 10:00 P.M.</td> </tr> </tbody> </table>		Customer Charge	\$1173.68/Mo	Demand Charge - Per Billing kW	5.92/kW	Energy Charge - For All kwh	4.069c/kWh	<u>Months</u>	<u>Hours Applicable for Demand Billing-EST</u>	October - April	7:00 A.M. to 12:00 Noon; 5:00 P.M. to 10:00 P.M.	May - September	10:00 A.M. to 10:00 P.M.
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Date of Issue 03/26/09

Date Effective 04/01/09

Issued By \_\_\_\_\_

Title President and CEO

**Form for Filing Rate Schedules**

For All Territory Served

Fleming-Mason Energy  
Cooperative, Inc.  
P. O. Box 328  
Flemingsburg, KY 41041

P.S.C. No. 3  
12th Revised Sheet No. 13  
Cancelling P.S.C. No. 3  
11th Revised Sheet No. 13

**Name of Issuing Corporation**

CLASSIFICATION OF SERVICE															
<b>Large Industrial Service - Schedule LIS 4B</b>	<b>Rate Per Unit</b>														
<p><u>Applicability:</u> Available to all members of the Cooperative for individual metered service where the monthly contract demand is 500 – 4999 KW with a monthly energy usage equal to or greater then 400 hours per KW of billing demand.</p> <p><u>Condition:</u> An "Agreement for Purchased Power" shall be executed by the consumer for service under this schedule.</p> <p><u>Character of Service:</u> Three-phase 60 Hertz alternating current as specified in Agreement for Purchased Power.</p> <p><u>Monthly Rate:</u></p> <table style="width: 100%; border: none;"> <tr> <td style="padding-left: 40px;">Customer Charge</td> <td style="text-align: right;">\$587.40/Mo.</td> </tr> <tr> <td style="padding-left: 40px;">Demand Charge – Per Contract KW</td> <td style="text-align: right;">5.92/kW</td> </tr> <tr> <td style="padding-left: 40px;">Demand Charge - Per Billing KW</td> <td style="text-align: right;">8.59/kW</td> </tr> <tr> <td style="padding-left: 40px;">Energy Charge - For All kwh</td> <td style="text-align: right;">4.867c/kWh</td> </tr> </table> <p><u>Determination of Billing Demand:</u> The monthly billing demand (kilowatt demand) shall be the contract demand plus any excess demand. Excess demand occurs when the ultimate consumer's highest demand during the current month, coincident with the load center's peak, exceeds the contract demand. The load center's peak demand is highest average rate at which energy is used during any fifteen-minute interval in the below listed hours for each month and adjusted for power factor as provided therein:</p> <table style="width: 100%; border: none;"> <thead> <tr> <th style="text-align: center;"><u>Months</u></th> <th style="text-align: center;"><u>Hours Applicable for Demand Billing-EST</u></th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">October - April</td> <td style="text-align: center;">7:00 A.M. to 12:00 Noon; 5:00 P.M. to 10:00 P.M.</td> </tr> <tr> <td style="text-align: center;">May - September</td> <td style="text-align: center;">10:00 A.M. to 10:00 P.M.</td> </tr> </tbody> </table>		Customer Charge	\$587.40/Mo.	Demand Charge – Per Contract KW	5.92/kW	Demand Charge - Per Billing KW	8.59/kW	Energy Charge - For All kwh	4.867c/kWh	<u>Months</u>	<u>Hours Applicable for Demand Billing-EST</u>	October - April	7:00 A.M. to 12:00 Noon; 5:00 P.M. to 10:00 P.M.	May - September	10:00 A.M. to 10:00 P.M.
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Date of Issue 03/26/09

Date Effective 04/01/09

Issued By \_\_\_\_\_

Title President and CEO

**Form for Filing Rate Schedules**

For All Territory Served

Fleming-Mason Energy  
Cooperative, Inc.  
P. O. Box 328  
Flemingsburg, KY 41041

P.S.C. No. 3  
12th Revised Sheet No. 14  
Cancelling P.S.C. No. 3  
11th Revised Sheet No. 14

**Name of Issuing Corporation**

CLASSIFICATION OF SERVICE															
Large Industrial Service - Schedule LIS 5B	Rate Per Unit														
<p><u>Applicability:</u> Available to all members of the Cooperative for individual metered service where the monthly contract demand is 5000 - 9999 KW with a monthly energy usage equal to or greater then 400 hours per KW of billing demand.</p> <p><u>Condition:</u> An "Agreement for Purchased Power" shall be executed by the consumer for service under this schedule.</p> <p><u>Character of Service:</u> Three-phase 60 Hertz alternating current as specified in Agreement for Purchased Power.</p> <p><u>Monthly Rate:</u></p> <table style="width: 100%; border: none;"> <tr> <td style="padding-left: 40px;">Customer Charge</td> <td style="text-align: right;">\$1173.68/Mo</td> </tr> <tr> <td style="padding-left: 40px;">Demand Charge - Per Contract KW</td> <td style="text-align: right;">5.92/kW</td> </tr> <tr> <td style="padding-left: 40px;">Demand Charge - Per KW in Excess of Contract</td> <td style="text-align: right;">8.59/kW</td> </tr> <tr> <td style="padding-left: 40px;">Energy Charge - For All kwh</td> <td style="text-align: right;">4.510c/kWh</td> </tr> </table> <p><u>Determination of Billing Demand:</u> The monthly billing demand (kilowatt demand) shall be the contract demand plus any excess demand. Excess demand occurs when the ultimate consumer's highest demand during the current month, coincident with the load center's peak, exceeds the contract demand. The load center's peak demand is highest average rate at which energy is used during any fifteen-minute interval in the below listed hours for each month and adjusted for power factor as provided therein:</p> <table style="width: 100%; border: none;"> <thead> <tr> <th style="text-align: center;"><u>Months</u></th> <th style="text-align: center;"><u>Hours Applicable for Demand Billing-EST</u></th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">October - April</td> <td style="text-align: center;">7:00 A.M. to 12:00 Noon; 5:00 P.M. to 10:00 P.M.</td> </tr> <tr> <td style="text-align: center;">May - September</td> <td style="text-align: center;">10:00 A.M. to 10:00 P.M.</td> </tr> </tbody> </table>		Customer Charge	\$1173.68/Mo	Demand Charge - Per Contract KW	5.92/kW	Demand Charge - Per KW in Excess of Contract	8.59/kW	Energy Charge - For All kwh	4.510c/kWh	<u>Months</u>	<u>Hours Applicable for Demand Billing-EST</u>	October - April	7:00 A.M. to 12:00 Noon; 5:00 P.M. to 10:00 P.M.	May - September	10:00 A.M. to 10:00 P.M.
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Date of Issue 03/26/09

Date Effective 04/01/09

Issued By \_\_\_\_\_

Title President and CEO

**Form for Filing Rate Schedules**

For All Territory Served

Fleming-Mason Energy  
Cooperative, Inc.  
P. O. Box 328  
Flemingsburg, KY 41041

P.S.C. No. 3  
12th Revised Sheet No. 15  
Cancelling P.S.C. No. 3  
11th Revised Sheet No. 15

**Name of Issuing Corporation**

<b>CLASSIFICATION OF SERVICE</b>															
<b>Large Industrial Service - Schedule LIS 6B</b>	<b>Rate Per Unit</b>														
<p><u>Applicability:</u> Available to all members of the Cooperative for individual metered service where the monthly contract demand is 10,000 KW and above with a monthly energy usage equal to or greater then 400 hours per KW of billing demand.</p> <p><u>Condition:</u> An "Agreement for Purchased Power" shall be executed by the consumer for service under this schedule.</p> <p><u>Character of Service:</u> Three-phase 60 Hertz alternating current as specified in Agreement for Purchased Power.</p> <p><u>Monthly Rate:</u></p> <table style="width: 100%; border: none;"> <tr> <td style="padding-left: 40px;">Customer Charge</td> <td style="text-align: right;">\$1173.68/Mo</td> </tr> <tr> <td style="padding-left: 40px;">Demand Charge – Per Contract kW</td> <td style="text-align: right;">5.92/kW</td> </tr> <tr> <td style="padding-left: 40px;">Demand Charge - Per Billing kW</td> <td style="text-align: right;">8.59/kW</td> </tr> <tr> <td style="padding-left: 40px;">Energy Charge - For All kWh</td> <td style="text-align: right;">4.069c/kWh</td> </tr> </table> <p><u>Determination of Billing Demand:</u> The monthly billing demand (kilowatt demand) shall be the contract demand plus any excess demand. Excess demand occurs when the ultimate consumer's highest demand during the current month, coincident with the load center's peak, exceeds the contract demand. The load center's peak demand is highest average rate at which energy is used during any fifteen-minute interval in the below listed hours for each month and adjusted for power factor as provided therein:</p> <table style="width: 100%; border: none;"> <thead> <tr> <th style="text-align: center;"><u>Months</u></th> <th style="text-align: center;"><u>Hours Applicable for Demand Billing-EST</u></th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">October - April</td> <td style="text-align: center;">7:00 A.M. to 12:00 Noon; 5:00 P.M. to 10:00 P.M.</td> </tr> <tr> <td style="text-align: center;">May - September</td> <td style="text-align: center;">10:00 A.M. to 10:00 P.M.</td> </tr> </tbody> </table>		Customer Charge	\$1173.68/Mo	Demand Charge – Per Contract kW	5.92/kW	Demand Charge - Per Billing kW	8.59/kW	Energy Charge - For All kWh	4.069c/kWh	<u>Months</u>	<u>Hours Applicable for Demand Billing-EST</u>	October - April	7:00 A.M. to 12:00 Noon; 5:00 P.M. to 10:00 P.M.	May - September	10:00 A.M. to 10:00 P.M.
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Date of Issue 03/26/09

Date Effective 04/01/09

Issued By \_\_\_\_\_

Title President and CEO

Fleming-Mason Energy Cooperative, Inc.  
P.O. Box 328  
Flemingsburg, KY 41041

For All Territory Served  
P.S.C. No. 3  
1st Revised Sheet No. 16  
Cancelling P.S. C. No. 3  
Original Sheet No. 16

<b>CLASSIFICATION OF SERVICE</b>							
<b>Large Industrial Service - Schedule LIS 7</b>	<b>Rate Per Unit</b>						
<p><u>Applicability:</u>  Available to all members of the Cooperative who receive service directly off of a distribution substation and where the monthly contract demand is 7,500 kW and above with a month energy usage equal to or greater than 400 hours per kW of billing demand. Member pays for cost of connecting to substation.</p> <p><u>Condition:</u>  An "Agreement for Purchased Power" shall be executed by the consumer for service under this schedule.</p> <p><u>Character of Service</u>  Three-phase 60 Hertz alternating current as specified in the Agreement for Purchased Power.</p> <p><u>Monthly Rate:</u></p> <table style="width: 100%; border: none;"> <tr> <td style="padding-left: 40px;">Customer Charge</td> <td style="text-align: right;">\$1,173.68/Mo</td> </tr> <tr> <td style="padding-left: 40px;">Demand Charge - Billing kW</td> <td style="text-align: right;">\$5.92/kW</td> </tr> <tr> <td style="padding-left: 40px;">Energy Charge - for All kWh</td> <td style="text-align: right;">\$.04069/kWh</td> </tr> </table> <p><u>Determination of Billing Demand:</u>  The monthly billing demand shall be the greater of A (A) or (B)  (A) The Contract Demand  (B) The consumer's highest demand during the current month or preceding eleven (11) months. The peak demand is the highest average rate at which energy is used during any fifteen minute interval in the below listed hours for each month and adjusted for power factor as provided herein:</p>		Customer Charge	\$1,173.68/Mo	Demand Charge - Billing kW	\$5.92/kW	Energy Charge - for All kWh	\$.04069/kWh
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Date of Issue 26-Mar-09 Date Effective 1-Apr-09  
Issued By \_\_\_\_\_ Title President & CEO

For Area Served	
P.S.C. KY. No.	5
1st Revised Sheet No.	1
Canceling P.S.C. KY. No.	5
Original Sheet No.	1

Fleming-Mason Energy

INTERRUPTIBLE SERVICE

STANDARD RIDER

This Interruptible Rate is a rider to Rate Schedules LGS, LIS1, LIS2, LIS3, LIS4, LIS5, LIS6, LIS4B, LIS5B, and LIS6B.

APPLICABLE

In all territory served by the Cooperative.

AVAILABILITY OF SERVICE

This schedule shall be made available to any member where that member will contract for an interruptible demand of not less than 250kW and not more than 20,000 kW, subject to a maximum number of hours of interruption per year and a notice period as listed below.

MONTHLY RATE

A monthly demand credit per kW is to be based on the following matrix:

<u>NOTICE MINUTES</u>	<u>ANNUAL HOURS OF INTERRUPTION</u>		
	<u>200</u>	<u>300</u>	<u>400</u>
10	\$4.20	\$4.90	\$5.60
60	\$3.50	\$4.20	\$4.90

DETERMINATION OF MEASURED LOAD-BILLING DEMAND

The monthly billing demand shall be the highest average rate at which energy is used during any fifteen consecutive minute period during the below listed hours:

<u>MONTHS</u>	<u>HOURS APPLICABLE FOR DEMAND</u> <u>BILLING-E.S.T.</u>
October through April	7:00 a.m. to 12:00 noon 5:00 p.m. to 10:00 p.m.
May through September	10:00 a.m. to 10:00 p.m.

The interruptible billing demand shall be equal to the amount by which the monthly billing demand exceeds the minimum billing demand as specified in the contract.

DATE OF ISSUE March 26, 2009

DATE EFFECTIVE April 1, 2009

ISSUED BY \_\_\_\_\_ TITLE President and Chief Executive Officer

Christopher S Perry  
President & CEO  
Fleming-Mason Energy Cooperative  
P. O. Box 328  
Flemingsburg, KY 41041

Honorable Marvin W Suit  
Attorney At Law  
Suit, McCartney & Price, PLLC  
207 Court Square  
Flemingsburg, KY 41041