

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN EXAMINATION BY THE PUBLIC SERVICE	)	
COMMISSION OF THE ENVIRONMENTAL	)	CASE NO.
SURCHARGE MECHANISM OF KENTUCKY	)	2012-00273
POWER COMPANY FOR THE TWO-YEAR	)	
BILLING PERIOD ENDING JUNE 30, 2011	)	

ORDER

On July 23, 2012, the Commission initiated a two-year review of Kentucky Power Company's ("Kentucky Power") environmental surcharge as billed to customers for the two-year period July 1, 2009 to June 30, 2011.<sup>1</sup> Pursuant to KRS 278.183(3), the Commission must review, at six-month intervals, the past operations of the environmental surcharge; disallow any surcharge amounts that are not just and reasonable; and reconcile past surcharge collections with actual costs recoverable. At two-year intervals, the Commission must review and evaluate the past operations of the environmental surcharge, disallow improper expenses, and, to the extent appropriate, incorporate surcharge amounts found just and reasonable into the existing base rates of the utility.

The Commission issued a procedural schedule on July 23, 2012 that provided for discovery, the filing of prepared testimony, an informal conference, and a public hearing. Kentucky Power filed prepared direct testimony and responded to requests for information. There were no parties requesting intervenor status to this proceeding. On

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<sup>1</sup> Since Kentucky Power's surcharge is billed on a two-month lag, the amounts billed from July 2009 through July 2011 are based on costs incurred from May 2009 through April 2011.

November 20, 2012, Kentucky Power requested that this case be submitted for a decision based on the existing record without a public hearing. Based on the absence of intervenors and finding good cause, the Commission will grant Kentucky Power's request and decide this case on the evidence of record without a hearing.

#### SURCHARGE ADJUSTMENT

The July 23, 2012 Order initiating this case indicated that since the period under review in this proceeding may have resulted in over- or under-recoveries, the Commission would entertain proposals to adopt one adjustment factor to net all over- or under-recoveries. Kentucky Power determined that it had a net over-recovery of its environmental costs in the amount of \$452,811.<sup>2</sup> Kentucky Power proposed that the net over-recovery be refunded by decreasing the total jurisdictional environmental surcharge amount by a one-time adjustment of \$452,811 in its first monthly surcharge filing following the Commission's decision in this proceeding.<sup>3</sup>

The Commission has reviewed and finds reasonable Kentucky Power's calculation of a net over-recovery of \$452,811 for the review period covered in this proceeding. The Commission also finds reasonable Kentucky Power's proposal to refund the over-recovery amount by a one-time adjustment of \$452,811 in its first monthly surcharge filing following the date of this Order.

#### SURCHARGE ROLL-IN

Kentucky Power does not propose to incorporate, or "roll-in," any of its environmental surcharge amounts into existing base rates. Kentucky Power states that

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<sup>2</sup> Response to the Commission Staff's Second Request for Information dated September 13, 2012, Item 3, Exhibit LPM-1 included in the CD attached to response.

<sup>3</sup> Munsey Direct Testimony, page 12.

it does not believe additional amounts of the environmental surcharge need to be rolled into existing base rates.<sup>4</sup> Kentucky Power contends that whether there was a roll-in or not, the effect on the ratepayers is the same. Kentucky Power notes that its environmental costs represent both capital costs, which are normally reflected in demand charges, and operating and maintenance costs, which are normally reflected in energy charges. Kentucky Power argues that the best time to properly allocate or assign these different types of environmental costs is at the time of a base rate case.<sup>5</sup>

The environmental surcharge statute directs the Commission to incorporate surcharge amounts found just and reasonable into the utility's existing base rates, but only "to the extent appropriate." The Commission agrees with Kentucky Power that whether or not there is a roll-in, ratepayers' total bills will be the same. The Commission also agrees that due to the potential need to revise demand charges to reflect the environmental capital costs, it is reasonable not to incorporate the environmental surcharge into existing base rates in this case.

#### RATE OF RETURN

In Case No. 1996-00489,<sup>6</sup> the Commission found that Kentucky Power's debt portion of its weighted average cost of capital should be reviewed and re-established during each six-month review case. The rate of return on common equity would remain fixed and subject to review during the two-year environmental surcharge reviews. The

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<sup>4</sup> Response to the Commission Staff's First Request for Information ("Staff's First Request") dated August 3, 2012, Item 5.

<sup>5</sup> Id.

<sup>6</sup> Case No. 1996-00489, In the Matter of the Application of Kentucky Power Company d/b/a American Electric Power to Assess a Surcharge under KRS 278.183 to Recover Costs of Compliance with the Clean Air Act and those Environmental Requirements which Apply to Coal Combustion Wastes and By-Products (Ky. PSC May 27, 1997).

weighted average cost of capital constitutes the rate of return for Kentucky Power's environmental compliance rate base.<sup>7</sup>

Kentucky Power states that it believes the 10.50 percent rate of return on common equity established in the settlement agreement in Case No. 2009-00459<sup>8</sup> is the reasonable rate of return for environmental surcharge purposes. Kentucky Power provided the outstanding balances for its long-term debt, short-term debt, accounts receivable financing, and common equity as of April 30, 2011, the last expense month of the review period. It also provided the blended interest rates for the long-term debt, short-term debt, and accounts receivable financing as of April 30, 2011.<sup>9</sup> Using this information, Kentucky Power calculated a weighted average cost of capital, before income tax gross-up, of 8.11 percent.<sup>10</sup> Kentucky Power also provided the weighted average cost of capital reflecting the tax gross-up approach approved in Case No. 2005-00068.<sup>11</sup>

The Commission has reviewed Kentucky Power's determination of its weighted average cost of capital and finds the 8.11 percent to be reasonable. The Commission has also reviewed the determination of the tax gross-up factor and finds that it is consistent with the approach approved in Case No. 2005-00068. Therefore, the

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<sup>7</sup> This weighted average cost of capital is applied only to the environmental compliance rate base associated with plant installed at Kentucky Power's Big Sandy generating units.

<sup>8</sup> Case No. 2009-00459, Application of Kentucky Power Company for a General Adjustment of Electric Rates, (Ky PSC Jun. 28, 2010).

<sup>9</sup> Response to the Staff's First Request dated August 3, 2012, Item 4.

<sup>10</sup> Id.

<sup>11</sup> Case No. 2005-00068, Application of Kentucky Power Company for Approval of an Amended Compliance Plan for Purposes of Recovering Additional Costs of Pollution Control Facilities and to Amend its Environmental Cost Recovery Surcharge Tariff (Ky. PSC Oct. 17, 2005).

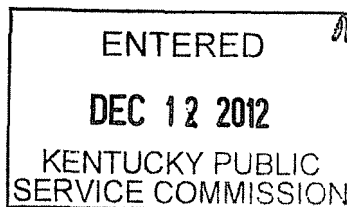
Commission finds that the weighted average cost of capital of 8.11 percent and the income tax gross-up factor of 1.5494 should be used in all monthly environmental surcharge filings subsequent to the date of this Order.<sup>12</sup>

IT IS THEREFORE ORDERED that:

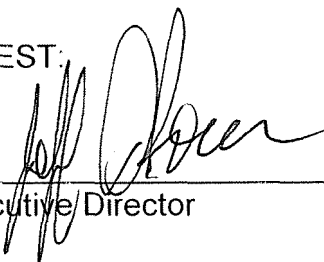
1. Kentucky Power shall reduce its jurisdictional environmental revenue requirement determined in the first billing month following the date of this Order by \$452,811, as discussed herein.

2. Kentucky Power shall use a weighted average cost of capital of 8.11 percent and a tax gross-up factor of 1.5494 in all monthly environmental surcharge filings subsequent to the date of this Order.

By the Commission



ATTEST:

  
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Executive Director

<sup>12</sup> Response to Commission Staff August 16, 2012 Informal Conference Data Requests dated August 23, 2012, Item 2. In the response, Kentucky Power determined that the income tax gross-up factor was 1.5494, which would produce a tax grossed-up weighted average cost of capital of 10.79 percent.

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

Ranie Wohnhas  
Managing Director, Reg & Finance  
Kentucky Power Company  
101 A Enterprise Drive  
P. O. Box 5190  
Frankfort, KY 40602