

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF KENTUCKY)	
POWER COMPANY FOR APPROVAL OF AN)	CASE NO.
AMENDED ENVIRONMENTAL COMPLIANCE)	2019-00389
PLAN AND A REVISED ENVIRONMENTAL)	
SURCHARGE)	

ORDER

On November 25, 2019, Kentucky Power Company (Kentucky Power) filed an application requesting approval of its 2019 Environmental Compliance Plan and amendments to its Environmental Surcharge tariff and environmental cost recovery surcharge to reflect its 2019 Environmental Compliance Plan. Kentucky Power's proposed 2019 Environmental Compliance Plan includes the projects from its 2017 Environmental Compliance Plan and a Selective Catalytic Reduction (SCR) system project at the Rockport Generating Station Unit 2 (Rockport Unit 2).¹

Kentucky Power states that it is a party to a Federal Energy Regulatory Commission-approved unit power agreement involving the Rockport Generating Station and responsible for its contractual share of the costs associated with Rockport Units 1 and 2, including environmental control equipment. Kentucky Power asserts that its

¹ Indiana Michigan Power Company received a Certificate of Public Convenience and Necessity for the Rockport Unit 2 SCR from the Indiana Utility Regulatory Commission in 2018. Although currently not in service, the Rockport Unit 2 SCR is anticipated to be placed in service no later than May 31, 2020, the proposed effective date of Kentucky Power's amended tariff.

affiliate, Indiana Michigan Power Company, is required under a Consent Decree² to retrofit Rockport Unit 2 with SCR technology by June 1, 2020, to continue operation of the unit and that such costs are properly recoverable under KRS 278.183.

Having reviewed Kentucky Power's application, the Commission finds that an investigation will be necessary to determine the reasonableness of the request. To provide for orderly consideration of this application, the Commission further finds that a procedural schedule should be established in this case.

IT IS THEREFORE ORDERED that:

1. The procedural schedule set forth in the Appendix to this Order shall be followed.

2. a. Responses to requests for information shall include the name of the witness responsible for responding to the questions related to the information provided, with an original in paper medium and an electronic version to the Commission. Documents in paper medium shall be appropriately bound, tabbed, and indexed. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked.

b. Each response shall be answered under oath, or for representatives of a public or private corporation or a partnership or an association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and

² The Consent Decree was entered in the matter styled *United States v. American Electric Power Service Corp.*, Civil Action C2-99-1250, by the United States District Court for the Southern District of Ohio in an action arising under the Federal Clean Air Act.

accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

c. Any party shall make timely amendment to any prior response if it obtains information which indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect.

d. For any request to which a party fails or refuses to furnish all or part of the requested information, that party shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

e. A party filing a paper containing personal information shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read.

3. Any party filing testimony shall comply with the electronic filing procedures set forth in 807 KAR 5:001, Section 8, and shall file with the Commission an original in paper and an electronic version. The copy in paper medium shall be appropriately bound, tabbed, and indexed.

4. Kentucky Power shall give notice of the hearing in accordance with the provisions set out in 807 KAR 5:001, Section 9(2)(b). In addition, the notice of hearing shall include the following statement: This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov. At the time publication is requested, Kentucky Power shall forward a duplicate of the notice and request to the Commission.

5. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), the official record of the proceeding shall be by video only.

6. Any motion to intervene filed after January 3, 2020, shall show a basis for intervention and good cause for being untimely, and must state with specificity the person's special interest that is not otherwise adequately represented, or the issues and facts the person will present that will assist the Commission in fully considering the matter. If the untimely motion is granted, the movant shall accept and abide by the existing procedural schedule.

7. At any public hearing in this matter, neither opening statements nor summarization of direct testimonies shall be permitted.

8. Motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause.

9. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

By the Commission

ENTERED
DEC 11 2019
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


Executive Director

Case No. 2019-00389

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2019-00389 DATED **DEC 11 2019**

Requests for intervention shall be filed by01/03/20

All initial requests for information to Kentucky Power shall
be filed no later than01/17/20

Kentucky Power shall file responses to initial requests for
information no later than01/31/20

All supplemental requests for information to Kentucky Power shall be filed
no later than.....02/14/20

Kentucky Power shall file responses to supplemental requests
for information no later than.....02/28/20

Intervenor testimony, if any, in verified prepared form, shall
be filed no later than03/06/20

All requests for information to intervenors shall be filed no
later than.....03/13/20

Intervenors shall file responses to requests for information
no later than.....03/20/20

Kentucky Power shall file rebuttal testimony, if any, no later
than.....03/27/20

Last day for Kentucky Power or Intervenors to request a hearing
or submit this case for decision based on the record.....04/03/20

Decision due05/22/20

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