

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF KENTUCKY)	
POWER COMPANY FOR (1) A GENERAL)	
ADJUSTMENT OF ITS RATES FOR ELECTRIC)	
SERVICE; (2) APPROVAL OF TARIFFS AND)	
RIDERS; (3) APPROVAL OF ACCOUNTING)	CASE NO.
PRACTICES TO ESTABLISH REGULATORY)	2020-00174
ASSETS AND LIABILITIES; (4) APPROVAL OF)	
A CERTIFICATE OF PUBLIC CONVENIENCE)	
AND NECESSITY; AND (5) ALL OTHER)	
REQUIRED APPROVALS AND RELIEF)	

ORDER

On June 29, 2020, Kentucky Power Company (Kentucky Power) tendered an application requesting, among other things, a general rate adjustment based upon a historic test year. By letter dated July 1, 2020, the Commission notified Kentucky Power that its application had been rejected for filing due to filing deficiencies. An informal conference was held on July 7, 2020, to allow Kentucky Power and the parties to this matter to discuss and clarify with Commission Staff the items in Kentucky Power's application that were found to be deficient. On July 8, 2020, Kentucky Power tendered a supplemental notice and exhibits to the application to cure the deficiencies. Kentucky Power states that it has been informed by the Kentucky Press Association that the first newspaper publication of the supplemental notice will be completed by July 15, 2020.

Based on a review of Kentucky Power's July 8, 2020 filing and being otherwise sufficiently advised, the Commission finds that once the supplemental notice is published, Kentucky Power will have cured the filing deficiencies. Pursuant to 807 KAR 5:001,

Section 17(2)(b)(3), the earliest date the application can be deemed filed is the date the supplemental notice is first published in newspapers of general circulation in Kentucky Power's service area. For this reason, the Commission finds that Kentucky Power's application should be deemed filed on July 15, 2020.

In its application, Kentucky Power proposed that the new rates become effective on December 30, 2020. Pursuant to KRS 278.180(1), no change in utility rates is permitted except upon 30 days' notice to the Commission. Therefore, since the application is accepted for filing as of July 15, 2020, the earliest date that Kentucky Power's proposed rates can be effective is August 14, 2020.

Having reviewed the application, the Commission finds that an investigation will be necessary to determine the reasonableness of the proposed rates and that such an investigation cannot be completed by August 14, 2020. Therefore, pursuant to KRS 278.190(2), the Commission will suspend the effective date of the proposed rates for five months,¹ up to and including January 13, 2021.

The Commission further finds that a procedural schedule should be established to review the reasonableness of the proposed rates. The procedural schedule is attached as an Appendix to this Order.

Finally, the Commission directs the parties to this proceeding to the Commission's March 16, 2020 and March 24, 2020 Orders in Case No. 2020-00085² regarding filings

¹ Kentucky Power's proposed rate adjustment is supported by a historical test year for twelve months ended March 31, 2020. Pursuant to KRS 278.190(2), the Commission may suspend the use of the rate adjustment for a period of five months beyond the time when it would otherwise go into effect if a historical test period is used.

² Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC Mar. 16, 2020), Order at 5–6. Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC Mar. 24, 2020), Order at 1–3.

with the Commission. The Commission expects the original documents to be filed with the Commission within 30 days of the lifting of the current state of emergency. All responses 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.

IT IS THEREFORE ORDERED that:

1. Kentucky Power's proposed rates are suspended for five months, up to and including, January 13, 2021.

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

3. a. Responses to requests for information shall be appropriately bound, tabbed and indexed, with the original and an electronic version to the Commission. The Commission expects the original documents to be filed with the Commission within 30 days of the lifting of the current state of emergency. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked. Each response shall include the name of the witness responsible for responding to the questions related to the information provided.

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

c. A 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. Careful attention should be given to copied material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request.

f. Any 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 the personal information cannot be read.

4. Any party filing a paper with the Commission shall file an electronic copy in accordance with the electronic filing procedures set forth in 807 KAR 5:001, Section 8. Pursuant to the Commission's March 16, 2020 and March 24, 2020 Orders in Case No. 2020-00085 regarding filings with the Commission, the Commission expects the original documents to be filed with the Commission within 30 days of the lifting of the current state of emergency. All responses 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.

5. As set forth in 807 KAR 5:001, Section 4(11)(a), a person requesting permissive intervention in a Commission proceeding is required to demonstrate either (1)

a special interest in the proceeding which is not adequately represented in the case, or (2) that the person requesting permissive intervention is likely to present issues or develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings. Further, KRS 278.040(2) requires that a person seeking intervention must have an interest in the rates or service of a utility, as those are the only matters that are subject to the Commission's jurisdiction. Therefore, any person requesting to intervene in a Commission proceeding must state with specificity the person's special interest that is not otherwise adequately represented, or the issues and facts that the person will present that will assist the Commission in fully considering the matter. A mere recitation of the quantity of utility service consumed by the movant or a general statement regarding a potential impact of possible modification of rates will not be deemed sufficient to establish a special interest. In addition, any motion to intervene filed after the date established in the procedural schedule attached as an Appendix to this Order shall also show good cause for being untimely. If the untimely motion is granted, the movant shall accept and abide by the existing procedural schedule.

6. Kentucky Power shall give notice of the hearing in accordance with the provisions set forth in 807 KAR 5:001, Section 9(2). 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.

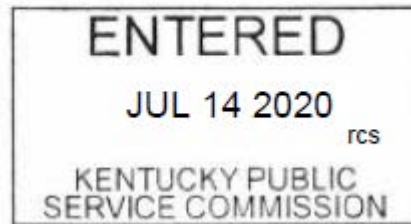
7. At any public hearing in this matter, neither opening statements nor summarization of direct testimonies shall be permitted.

8. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), a digital video recording shall be made of the hearing.

9. The Commission does not look favorably upon motions for continuance. Accordingly, 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.

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By the Commission



ATTEST:



Acting Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2020-00174 DATED JUL 14 2020

Last day for intervention requests to be accepted.....07/31/20

All initial requests for information to Kentucky Power shall
be filed no later than..... 08/12/20

Kentucky Power shall file responses to initial requests for
information no later than..... 08/26/20

All supplemental requests for information to Kentucky Power
shall be filed no later than 09/16/20

Kentucky Power shall file responses to supplemental requests
for information no later than 09/30/20

Intervenor testimony, if any, in verified prepared
form shall be filed no later than 10/07/20

All requests for information to Intervenors shall
be filed no later than..... 10/22/20

Intervenors shall file responses to requests for
information no later than..... 11/02/20

Kentucky Power shall file, in verified form, its rebuttal
testimony no later than 11/09/20

Last day for Kentucky Power to publish notice of hearing To be scheduled

Public Hearing to be held in Hearing Room 1
of the Commission’s offices at 211 Sower Boulevard,
Frankfort, Kentucky, for the purpose of cross-examination
of witnesses of Kentucky Power and Intervenors To be scheduled

Post-Hearing Briefs, if any..... To be scheduled

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