

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PETITION AND COMPLAINT OF KENTUCKY	)	
POWER COMPANY FOR A DECLARATION OF	)	
ITS EXCLUSIVE RIGHT PURSUANT TO KRS	)	
278.018(1) TO SERVE THOSE PORTIONS OF	)	CASE NO.
THE SAND GAP ESTATES IN GREENUP	)	2012-00224
COUNTY, KENTUCKY LYING WITHIN ITS	)	
CERTIFIED TERRITORY IN LIEU OF	)	
GRAYSON RURAL ELECTRIC COOPERATIVE	)	
CORPORATION	)	

ORDER

On June 1, 2012, Kentucky Power Company ("Kentucky Power") filed a Complaint and Petition requesting the Commission to enter an Order declaring that Grayson Rural Electric Cooperative Corporation ("Grayson") is providing electric service in violation of KRS 278.018(1) to two residences in Sand Gap Estates in Greenup County; declaring that Kentucky Power has the exclusive right to provide retail electric service to the two aforementioned residences, as well as to any other electric consuming facilities within Kentucky Power's certified territory; and directing Grayson to maintain records during the pendency of this action and for a reasonable period thereafter of service rendered on and after February 23, 2011 to the two residences that are the subject of this complaint.

Based on a review of Kentucky Power's Complaint and Petition and being otherwise sufficiently advised, the Commission finds that an investigation is necessary

to determine the reasonableness of the complaint, and a procedural schedule should be established for conducting this investigation.

IT IS THEREFORE ORDERED that:

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

2. a. All requests for information and responses thereto shall be appropriately bound, tabbed, and indexed. The original and ten copies shall be filed with the Commission, with copies to all parties of record. Any request for information by letter from the Commission Staff shall be responded to as if set forth in a Commission Order. All responses shall include the name of the witness responsible for responding to 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.

3. Any party filing testimony shall file an original and ten copies with the Commission, with copies to all parties of record.

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

5. Any objections or motions relating to discovery or procedural dates shall be filed within four business days' notice, or the filing party shall explain in writing why such notice was not possible.

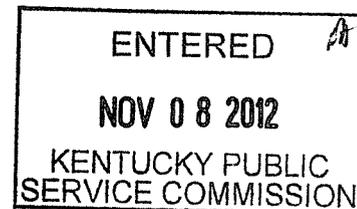
6. Motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause.

7. As the Complainant bears the burden of proof in this matter, its failure to appear at the formal hearing and to present proof in support of its complaint may result in dismissal of the complaint with prejudice.

8. The failure of the Defendant to appear at the formal hearing may result in the entry of an Order granting the Complainant's requested relief.

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

By the Commission



ATTEST:

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

Case No. 2012-00224

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2012-00224 DATED NOV 08 2012

- Requests for intervention shall be filed  
no later than..... 11/16/12
- Initial requests for information to  
Kentucky Power Company ("Kentucky Power")  
and initial requests for information to Grayson  
Rural Electric Cooperative Corporation ("Grayson RECC")  
shall be filed no later than ..... 11/16/12
- Kentucky Power shall file responses to  
initial requests for information and Grayson  
RECC shall file responses to initial requests for information  
no later than ..... 12/05/12
- All requests for information to Intervenors shall be filed no later than ..... 12/11/12
- Kentucky Power shall file, in verified form,  
its testimony and Grayson RECC shall file,  
in verified form, its testimony, no later than ..... 12/21/12
- Intervenors' responses to requests for information shall be  
filed no later than ..... 12/28/12
- Kentucky Power shall file, in verified form,  
its rebuttal testimony and Grayson RECC shall file,  
in verified form, its rebuttal testimony, no later than ..... 01/10/13
- Intervenors shall file, in verified form,  
testimony no later than ..... 01/10/13
- 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 Grayson RECC ..... To be scheduled

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