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 **SPILMAN THOMAS & BATTLE, PLLC**  
ATTORNEYS AT LAW

Don C. A. Parker  
304.340.3896  
dparker@spilmanlaw.com

August 8, 2013

**VIA OVERNIGHT MAIL**

Mr. Jeff Derouen  
Executive Director  
Kentucky Public Service Commission  
211 Sower Boulevard  
Frankfort, Kentucky 40602

Re: Case No. 2013-00197

Dear Mr. Derouen:

Please find enclosed for filing with the Kentucky Public Service Commission the original and ten (10) copies of the Petition to Intervene on behalf of Wal-Mart Stores East, LP ("Walmart") in the above-referenced matter.

All parties are being served a copy of this document in accordance with the enclosed Certificate of Service.

If you have any questions regarding this filing, please contact me.

Sincerely,

  
Don C. A. Parker  
(Kentucky I.d. No. 94113)

Derrick Price Williamson  
Spilman Thomas & Battle, PLLC  
1100 Bent Creek Boulevard, Suite 101  
Mechanicsburg, PA 17050  
[dwilliamson@spilmanlaw.com](mailto:dwilliamson@spilmanlaw.com)

DCP/lhi  
Enclosures  
c: Certificate of Service

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served one (1) copy of the foregoing document upon the following parties to this proceeding via First Class Mail:

**VIA U.S. MAIL**

Mark R. Overstreet, Esq.  
R. Benjamin Crittenden  
Stites & Harbison PLLC  
421 West Main Street  
P.O. Box 634  
Frankfort, Kentucky 40602-0634  
and  
Kenneth J. Gish, Jr., Esq.  
Stites & Harbison PLLC  
250 West Main Street, Suite 2300  
Lexington, Kentucky 40507  
*Counsel for Kentucky Power Company*

Michael L. Kurtz, Esq.  
Kurt J. Boehm, Esq.  
Jody Kyler Cohn, Esq.  
Boehm, Kurtz & Lowery  
36 East Seventh Street, Suite 1510  
Cincinnati, OH 45202  
*Counsel for Kentucky Industrial Utility  
Customers, Inc.*

Jennifer Black Hans, Esq.  
Dennis G. Howard, II, Esq.  
Lawrence W. Cook, Esq.  
Assistant Attorney General's Office  
1024 Capital Center Drive, Suite 200  
Frankfort, Kentucky 40601



Don C. A. Parker (Kentucky I.d. No. 94113)

Dated: August 8, 2013

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of: The Application of Kentucky  
Power Company for General Adjustment of its  
Existing Rates

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)  
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Case No. 2013-00197

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Pursuant to K.R.S. §278.310 and 807 KAR 5:001 Section 3(8), Wal-Mart Stores East, LP ("Walmart"), by its attorneys, respectfully requests that the Commission permit it to intervene and become a party in the above-captioned matter. In support of its Petition to Intervene, Walmart submits as follows:

1. On June 28, 2013, Kentucky Power Company ("KPCo") filed an Application with the Commission seeking a general adjustment for existing rates.

2. Walmart is a national retailer of goods and services throughout the United States. Walmart's principal office is at 2001 SE 10<sup>th</sup> Street, Bentonville AR 72716-0550.

3. Walmart has the privilege of providing its retail services in the Commonwealth of Kentucky. Walmart is a large commercial customer of KPCo. Walmart has approximately nine facilities in Kentucky that are served by KPCo, which includes Walmart Supercenters. Walmart purchases more than 34 million kWh annually from KPCo, principally pursuant to service under Rate Schedules LGS and QP. Electricity is one of the single highest operating costs faced by Walmart. As a result, any modification to KPCo's electric rates and rate structure has the potential to substantially impact Walmart's operations in Kentucky, and as proposed, KPCo's filing would increase Walmart's electric rates by about 20%. Therefore, Walmart has a direct and substantial interest in the outcome of this proceeding. Further, Walmart is unique in that it is a single commercial customer that purchases substantial amounts of electric and related services

from KPCCo pursuant to multiple accounts at multiple locations. Thus, Walmart has an interest in this proceeding that is not represented by any other party.

4. The attorneys representing Walmart in this proceeding are:

Don C. A. Parker  
Spilman Thomas & Battle, PLLC  
300 Kanawha Blvd, East  
Charleston, WV 25301  
Phone: (304) 340-3896  
Fax: (304) 340-3801  
E-mail: [dparker@spilmanlaw.com](mailto:dparker@spilmanlaw.com)

Derrick Price Williamson  
Spilman Thomas & Battle, PLLC  
1100 Bent Creek Blvd., Suite 101  
Mechanicsburg, PA 17050  
Phone: (717) 795-2740  
Fax: (717) 795-2743  
E-mail: [dwilliamson@spilmanlaw.com](mailto:dwilliamson@spilmanlaw.com)

Mr. Parker is authorized to accept service of papers in this proceeding on behalf of Walmart. Walmart also respectfully requests that Mr. Williamson be added jointly to the service list. Walmart plans to cause to be filed a motion for Mr. Williamson to be admitted *pro hac vice* before this Commission, and subsequent to any Commission grant of such request, Walmart requests that Mr. Williamson be added to the official service list as an attorney authorized to accept service of papers in this proceeding.

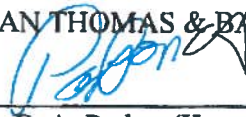
5. This Petition to Intervene is timely filed, as this intervention request precedes the Commission's established deadline for intervention of August 9, 2013.

**WHEREFORE**, Wal-Mart Stores East, LP respectfully requests that it be granted leave to intervene and be made a party to the above-captioned proceeding.

Respectfully submitted,

SPILMAN THOMAS & BATTLE, PLLC

By

  
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Don C. A. Parker (Kentucky I.d. No. 94113)  
Spilman Thomas & Battle, PLLC  
300 Kanawha Blvd, East  
Charleston, WV 25301  
Phone: (304) 340-3896  
Fax: (304) 340-3801  
E-mail: [dparker@spilmanlaw.com](mailto:dparker@spilmanlaw.com)

Derrick Price Williamson  
Spilman Thomas & Battle, PLLC  
1100 Bent Creek Blvd., Suite 101  
Mechanicsburg, PA 17050  
Phone: (717) 795-2740  
Fax: (717) 795-2743  
E-mail: [dwilliamson@spilmanlaw.com](mailto:dwilliamson@spilmanlaw.com)

Counsel to Wal-Mart Stores East, LP

Dated: August 8, 2013