

# JOE F. CHILDERS & ASSOCIATES

ATTORNEYS AT LAW  
THE LEXINGTON BUILDING

201 West Short Street, Suite 300  
Lexington, Kentucky 40507

Joe F. Childers, Esquire  
childerslaw81@gmail.com

Telephone: (859) 253-9824  
Facsimile: (859) 258-9288

VIA COURIER

January 31, 2014

RECEIVED

JAN 31 2014

PUBLIC SERVICE  
COMMISSION

Jeff R. Derouen  
Executive Director  
Kentucky Public Service Commission  
211 Sower Boulevard  
Frankfort, Kentucky 40601

**Re: Alexander DeSha and Sierra Club's Initial Requests for  
Information to Kentucky Power Company, Case No. 2013-00487**

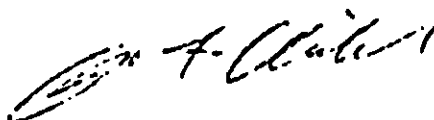
Dear Mr. Derouen,

Please find enclosed for filing an original and ten copies of Alexander DeSha and Sierra Club's Initial Requests for Information to Kentucky Power Company, and an accompanying certificate of service, in Case No. 2013-00487 before the Kentucky Public Service Commission.

This filing contains no confidential information.

Thank you for your attention to this matter.

Sincerely,



JOE F. CHILDERS

Enc.

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

JAN 31 2014

PUBLIC SERVICE  
COMMISSION

In the Matter of:

APPLICATION OF KENTUCKY POWER )  
COMPANY TO AMEND ITS DEMAND-SIDE )  
MANAGEMENT PROGRAM AND FOR )  
AUTHORITY TO IMPLEMENT A TARIFF TO ) CASE NO. 2013-00487  
RECOVER COSTS AND NET LOST REVENUES, )  
AND TO RECEIVE INCENTIVES ASSOCIATED )  
WITH THE IMPLEMENTATION OF THE )  
PROGRAMS )

---

ALEXANDER DESHA AND SIERRA CLUB'S INITIAL REQUESTS FOR  
INFORMATION TO KENTUCKY POWER COMPANY

---

Pursuant to the Kentucky Public Service Commission's ("Commission") January 13, 2014 Order ("January Order"), proposed Intervenor Alexander DeSha and Sierra Club (collectively "Environmental Intervenor")<sup>1</sup> propound the following requests for information on Kentucky Power Company's ("KPC" or "the Company") application in the above-captioned docket.

KPC shall answer these requests for information in the manner set forth in the January Order and by no later than the February 14, 2014 deadline set forth in the Appendix of the January Order. In addition to the undersigned, please produce the responses to the information requests contained herein in electronic format to:

Jill Tauber  
Earthjustice  
1625 Massachusetts Avenue, N.W., Suite 702  
Washington, DC 20036-2212  
[jtauber@earthjustice.org](mailto:jtauber@earthjustice.org)

S. Laurie Williams  
Sierra Club  
50 F Street, N.W., 8th Floor

---

<sup>1</sup> Environmental Intervenor filed a timely motion for leave to intervene in the above-captioned docket on January 17, 2014.

Washington, DC 20001  
[laurie.williams@sierraclub.org](mailto:laurie.williams@sierraclub.org)

Daniel Sawmiller  
Sierra Club  
131 N. High Street  
Suite 605  
Columbus, Ohio 43215  
[daniel.sawmiller@sierraclub.org](mailto:daniel.sawmiller@sierraclub.org)

Wherever the response to a request for information consists of a statement that the requested information is already available to the Environmental Intervenors, provide a detailed citation to the document that contains the information. This citation shall include the title of the document, relevant page number(s), and to the extent possible paragraph number(s) and/or chart/table/figure number(s).

In the event that any document referred to in response to any request for information has been destroyed, specify the date and the manner of such destruction, the reason for such destruction, the person authorizing the destruction and the custodian of the document at the time of its destruction.

All documents should be produced in electronic, text-searchable format, and all workbooks should be provided in excel format, where available.

The Environmental Intervenors reserve the right to serve supplemental, revised, or additional discovery requests as permitted in this proceeding.

### **DEFINITIONS**

Unless otherwise specified in each individual request, “you,” “your,” “KPC,” or “Company” refers to Kentucky Power Company, and its affiliates, employees, and authorized agents.

“And” and “or” shall be construed either conjunctively or disjunctively as required by the context to bring within the scope of these requests for information and for the production of documents any information that might be deemed outside their scope by another construction.

“Any” means all or each and every example of the requested information.

“Communication” means any transmission or exchange of information between two or more persons, whether orally or in writing, and includes, without limitation, any conversation or discussion by means of letter, telephone, note, memorandum, telegraph, telex, telecopy, cable, email, or any other electronic or other medium.

“Document” refers to written matter of any kind, regardless of its form, and to information recorded on any storage medium, whether in electrical, optical or electromagnetic form, and capable of reduction to writing by the use of computer hardware and software, and includes all copies, drafts, proofs, both originals and copies either (1) in the possession, custody or control of the Company regardless of where located, or (2) produced or generated by, known to or seen by the Company, but now in its possession, custody or control, regardless of where located whether or still in existence.

Such “documents” shall include, but are not limited to, applications, monitoring reports, computer printouts, contracts, leases, agreements, papers, photographs, tape recordings, transcripts, letters or other forms of correspondence, folders or similar containers, programs, telex, TWX and other teletype communications, memoranda, reports, studies, summaries, minutes, minute books, circulars, notes (whether typewritten, handwritten or otherwise), agenda, bulletins, notices, announcements, instructions, charts, tables, manuals, brochures, magazines, pamphlets, lists, logs, telegrams, drawings, sketches, plans, specifications, diagrams, drafts, books and records, formal records, notebooks, diaries, registers, analyses, projections, email correspondence or communications and other data compilations from which information can be obtained (including matter used in data processing) or translated, and any other printed, written, recorded, stenographic, computer-generated, computer-stored, or electronically stored matter, however and by whomever produced, prepared, reproduced, disseminated or made.

Without limitation, the term “control” as used in the preceding paragraphs means that a document is deemed to be in your control if you have the right to secure the document or a copy thereof from another person or public or private entity having actual possession thereof. If a document is responsive to a request, but is not in your possession or custody, identify the person with possession or custody. If any document was in your possession or subject to your control, and is no longer, state what disposition was made of it, by whom, the date on which such disposition was made, and why such disposition was made.

For purposes of the production of “documents,” the term shall include copies of all documents being produced, to the extent the copies are not identical to the original, thus requiring the production of copies that contain any markings, additions or deletions that make them different in any way from the original.

“DSM” means demand-side management, including energy efficiency/conservation and load management programs.

“Identify” means:

- (a) With respect to a person, to state the person’s name, address and business relationship to KPC (e.g., “employee”);
- (b) With respect to a document, to state the nature of the document in sufficient detail for identification in a request for production, its date, its author, and to identify its custodian. If the information or document identified is recorded in electrical,

optical or electromagnetic form, identification includes a description of the computer hardware or software required to reduce it to readable form.

“Workpapers” means original, electronic, machine-readable, unlocked, Excel format (where possible) with formulas intact.

### **PRIVILEGE**

If you claim a privilege including, but not limited to, the attorney-client privilege or the work product doctrine, as grounds for not fully and completely responding to any request for information, interrogatory or request for production, describe the basis for your claim of privilege in sufficient detail so as to permit the Environmental Intervenors or the Commission to evaluate the validity of the claim. With respect to documents for which a privilege is claimed, produce a “privilege log” that identifies the author, recipient, date and subject matter of the documents or response for which you are asserting a claim of privilege and any other information pertinent to the claim that would enable the Environmental Intervenors or the Commission to evaluate the validity of such claims.

### **REQUESTS FOR INFORMATION**

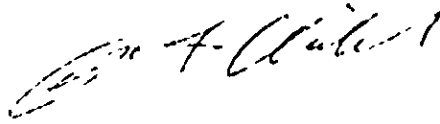
- 1.1 Provide all KPC responses to requests for information from all parties and Commission Staff in this proceeding.
- 1.2 Please provide Exhibit C of the Application in machine readable electronic format with formulas intact and cells unprotected.
- 1.3 Refer to page 1 of the Company’s Application cover letter to the Commission (“letter”), which states “The Company proposes a program portfolio for 2014 designed to capture additional energy and demand reduction opportunities.” Please quantify the “additional energy and demand reduction opportunities” in megawatt-hours (MWh) and megawatts (MW), respectively, and provide any underlying analyses to support such figures.
- 1.4 Please provide the Company’s total DSM costs for 2013.
- 1.5 Please provide the estimated total DSM program costs in 2014 for each program, by the subcategories of “total program costs” provided on pages 4-24 of the DSM Status Report.
- 1.6 For each of the last five years (2009-2013), please provide the Company’s DSM energy savings as a percentage of the prior year’s retail electricity sales.
- 1.7 Referring to page 1 of the DSM Status Report, please explain why the Company calculates the number of participating customers as equal to one half of the new participants for the current month, plus cumulative participants from the previous months.
- 1.8 Referring to the Company’s decision to increase its DSM spending under the

Commission's October 7, 2013 order in Case No. 2012-00578 by expanding the participation goals for the Modified Energy Fitness, Residential Efficiency Products and Commercial Incentive programs (see page 3 of the Company's letter):

- a. Please explain what role, if any, the Collaborative played in the Company's decision-making process.
  - b. Please provide all analyses, workpapers and any other documents that informed and/or supports the Company's decision as to how to allocate the increased spending.
- 1.9 Page 3 of the Company's letter states that the Commercial Incentive program's participation goal increased in 2014 from 225 to 250 customers. Page 20 of the Status Report provides a 2013 participation forecast of 150 customers for this program. Is the Company projecting to have 75 fewer customers participate in the Commercial Incentive program in 2013 than the number of customers set out in its participation goal? If not, please explain this discrepancy between the 2013 projection and participation goal.
- 110 Please identify and produce any DSM market potential studies performed by or for KPC in the last five years, including attendant workbooks or calculations in electronic and machine readable format.
- 1.11 Regarding the Company's proposed DSM Market Potential Study:
- a. Please identify the person(s)/firm(s) who will conduct the study.
  - b. Please provide any scope of work and/or request for proposals for the study.
  - c. Please provide the estimated start and completion dates of the study.
  - d. Please describe the purpose of the study.
  - e. Please state whether the study will inform future DSM spending by the Company.
- 1.12 Please state when the Company plans to submit its next DSM filing.
- 1.13 Please state whether the next DSM filing will reflect the increased 2015 DSM spending level required under the Commission's October 7, 2013 order in Case No. 2012-00578.
- 1.14 Please explain whether and how the proposed DSM Market Potential Study will inform the Company's next DSM filing.

Dated: January 31, 2014

Respectfully submitted,



---

JOE F. CHILDERS  
JOE F. CHILDERS & ASSOCIATES

300 Lexington Building  
201 West Short Street  
Lexington, Kentucky 40507  
859-253-9824  
859-258-9288 (facsimile)  
childerslaw81@gmail.com

Of counsel:

*(The following attorneys are not licensed to practice law in Kentucky.)*

Jill Tauber  
Earthjustice  
Washington, DC Office  
1625 Massachusetts Avenue, NW, Suite 702  
Washington, DC 20036-2212  
(202) 667-4500  
jtauber@earthjustice.org

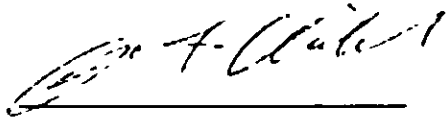
Susan Laureign Williams  
Sierra Club  
50 F Street, N.W., 8th Floor  
Washington, DC 20001  
(202) 548-4597  
lauric.williams@sierraclub.org

## CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Initial Requests for Information to Kentucky Power Company has been served via U.S. mail and electronic mail on January 31, 2014 to the following:

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

Lila P. Munsey  
Managing, Regulatory Services  
Kentucky Power Company  
101 A Enterprise Drive  
Frankfort, KY 40601



*Lila P. Munsey*

---