

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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OCT 10 2014

PUBLIC SERVICE
COMMISSION

In the Matter of:

EAST KENTUCKY POWER COOPERATIVE,)
INC. APPLICATION FOR AN AMENDED)
ENVIRONMENTAL SURCHARGE)
COMPLIANCE PLAN; A REVISED)
ENVIRONMENTAL SURCHARGE TO)
RECOVER COSTS OF THIS AMENDED)
PLAN; AND A CPCN)

Case No.
2014-00252

ATTORNEY GENERAL'S FIRST REQUEST FOR INFORMATION

Comes now the intervenor, the Attorney General of the Commonwealth of Kentucky, by and through his Office of Rate Intervention, and submits this First Request for Information to East Kentucky Power Cooperative ("EKPC") to be answered by the date specified in the Commission's Order of Procedure, and in accord with the following:

- (1) In each case where a request seeks data provided in response to a staff request, reference to the specific portion of the appropriate request item will be deemed a satisfactory response.
- (2) Please identify the witness who will be prepared to answer questions concerning each request.
- (3) Please repeat the question to which each response is intended to refer. The Office of the Attorney General can provide counsel for FPB with an electronic version of these questions, upon request.

(4) These requests shall be deemed continuing so as to require further and supplemental responses if the company receives or generates additional information within the scope of these requests between the time of the response and the time of any hearing conducted hereon.

(5) Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association, 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.

(6) If you believe any request appears confusing, please request clarification directly from Counsel for the Office of Attorney General.

(7) To the extent that the specific document, workpaper or information as requested does not exist, but a similar document, workpaper or information does exist, provide the similar document, workpaper, or information.

(8) To the extent that any request may be answered by way of a computer printout, please identify each variable contained in the printout which would not be self-evident to a person not familiar with the printout.

(9) If the company has objections to any request on the grounds that the requested information is proprietary in nature, or for any other reason, please notify the Office of the Attorney General as soon as possible.

(10) As used herein, the words "document" or "documents" are to be construed broadly and shall mean the original of the same (and all non-identical copies or drafts

thereof) and if the original is not available, the best copy available. These terms shall include all information recorded in any written, graphic or other tangible form and shall include, without limiting the generality of the foregoing, all reports; memoranda; books or notebooks; written or recorded statements, interviews, affidavits and depositions; all letters or correspondence; telegrams, cables and telex messages; contracts, leases, insurance policies or other agreements; warnings and caution/hazard notices or labels; mechanical and electronic recordings and all information so stored, or transcripts of such recordings; calendars, appointment books, schedules, agendas and diary entries; notes or memoranda of conversations (telephonic or otherwise), meetings or conferences; legal pleadings and transcripts of legal proceedings; maps, models, charts, diagrams, graphs and other demonstrative materials; financial statements, annual reports, balance sheets and other accounting records; quotations or offers; bulletins, newsletters, pamphlets, brochures and all other similar publications; summaries or compilations of data; deeds, titles, or other instruments of ownership; blueprints and specifications; manuals, guidelines, regulations, procedures, policies and instructional materials of any type; photographs or pictures, film, microfilm and microfiche; videotapes; articles; announcements and notices of any type; surveys, studies, evaluations, tests and all research and development (R&D) materials; newspaper clippings and press releases; time cards, employee schedules or rosters, and other payroll records; cancelled checks, invoices, bills and receipts; and writings of any kind and all other tangible things upon which any handwriting, typing, printing, drawings, representations, graphic matter, magnetic or electrical impulses, or other

forms of communication are recorded or produced, including audio and video recordings, computer stored information (whether or not in printout form), computer-readable media or other electronically maintained or transmitted information, and all other rough drafts, revised drafts (including all handwritten notes or other marks on the same) and copies of documents as hereinbefore defined by whatever means made.

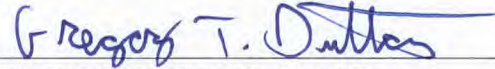
(11) For any document withheld on the basis of privilege, state the following: date; author; addressee; indicated or blind copies; all persons to whom distributed, shown, or explained; and, the nature and legal basis for the privilege asserted.

(12) In the event any document called for has been destroyed or transferred beyond the control of the company, please state: the identity of the person by whom it was destroyed or transferred, and the person authorizing the destruction or transfer; the time, place, and method of destruction or transfer; and, the reason(s) for its destruction or transfer. If destroyed or disposed of by operation of a retention policy, state the retention policy.

(13) Please provide written responses, together with any and all exhibits pertaining thereto, in one or more bound volumes, separately indexed and tabbed by each response, in compliance with Kentucky Public Service Commission Regulations.

Respectfully submitted,

JACK CONWAY
ATTORNEY GENERAL



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Certificate of Service and Filing

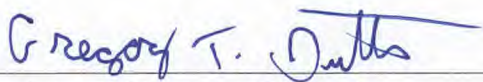
Counsel certifies that an original and ten photocopies of the foregoing were served and filed by hand delivery to Jeff Derouen, Executive Director, Public Service Commission, 211 Sower Boulevard, Frankfort, Kentucky 40601; counsel further states that true and accurate copies of the foregoing were mailed via First Class U.S. Mail, postage pre-paid, to:

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this 10th day of October, 2014



Assistant Attorney General

East Kentucky Power Cooperative Inc. Application for an Amended Environmental Surcharge Compliance Plan; A
Revised Environmental Surcharge to Recover Costs of this Amended Plan; And a CPCN
Case No. 2014-00252
Attorney General's First Request for Information

1. Refer to paragraph 7, page 4 regarding beneficial reuse of coal ash.
 - a. What specific beneficial reuse projects has the coal ash been utilized for?
 - b. Was any revenue or income generated from the projects, and if so how much?
2. Refer to paragraph 2, page 2, footnote 1.
 - a. What is the estimated cubic yards of the structural fill?
 - b. Confirm that that while the structural fill is included in the 560,000 cubic yards estimate, the structural fill is not planned to be removed from the site.
 - c. If so, explain why the additional structural fill material was accounted for in calculating cost of removal.
3. Refer to paragraph 16, page 12.
 - a. Were discussions held with the Kentucky Division of Waste Management regarding closure in place?
 - b. If not, why not?
 - c. If so, please provide documentation of the communications between EKPC and KDWM regarding closure in place.
4. Refer to page 15 regarding storing coal ash from Cooper and Spurlock stations. See also Request for Information number 10 from PSC Staff. Provide the emergency or other occurrence that required EKPC to divert coal ash disposal from the Cooper or Spurlock stations to another location.
5. Refer to paragraph 28, page 22.
 - a. What would be the landfill construction cost for a landfill to hold 373,000 cubic yards of CCR?
 - b. What would be the landfill construction cost for a landfill to hold 560,000 cubic yards of CCR??

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6. Refer to paragraph 2, page 2. Are the MATS rules and 111(d) rules the “stringent federal environmental regulations for coal-fired generation” referenced?
 - a. If so, to what extent did MATS factor in shutting down Dale Station?
 - b. To what extent, if any, does the proposed 111(d) carbon regulation factor in shutting down Dale Station?
7. Reference paragraph 18, page 14. What evidence does EKPC have that leads it to believe that either liner option 1 or option 2 will comply with anticipated EPA CCR regulations?
8. Refer to Mosier testimony page 10, lines 10-12. Is there insurance available for the potential environmental remediation of discharge from the current coal ash ponds into the Kentucky River? If not, what amount has EKPC previously set aside to self-insure from such an occurrence?
9. Refer to Pervis testimony, page 7, lines 20-22. Please provide a copy of KPDES Permit No. KY0002194 and any NOV or other enforcement action notices EKPC has received related to this permit.
10. Refer to JBP-3.
 - a. Provide a copy of the 404 individual permit issued on June 10, 2013.
 - b. Provide a copy of the KPDES permit when issued.
11. Refer to Clark testimony, page 10 lines 14-19.
 - a. Did EKPC attempt to negotiate lowered landfill fees that may have made the project more economically feasible? If not, why not.
 - b. What would the landfill fees be based on 560,000 cubic yards of CCR, as opposed to the 1,000,000 cubic yards referenced on Clark Testimony page 9, line 15?
12. Refer to Clark testimony, page 10 lines 1-2 and lines 8-9. Explain how the amount of \$545,175 was calculated for reduced landfill capacity.
13. Refer to Clark Testimony page 23, line 21 to page 24, line 2. Explain how the planned relocation will avoid any additional relocation activities should the Dale site be redeveloped in the future.