

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

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PUBLIC SERVICE  
COMMISSION

In the Matter of:

Application Of Kentucky Power Company For     )  
A Deviation From The Reporting Requirements     )     Case No. 2015-00\_\_\_\_  
Of 807 KAR 5:006, Section 27(2)                     )

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Kentucky Power Company moves the Public Service Commission of Kentucky pursuant to 807 KAR 5:006, Section 27(2) and 807 KAR 5:006, Section 28 for a deviation from the requirement that a summary written report of a fatality within seven days of the utility-related accident, and in support thereof states:

Applicant

1. Kentucky Power was organized in 1919 under the laws of the Commonwealth of Kentucky.<sup>1</sup> The Company's mailing address is 101A Enterprise Drive, P.O. Box 5190, Frankfort, Kentucky 40602-5190, and its electronic mail address is [kentucky\\_regulatory\\_services@aep.com](mailto:kentucky_regulatory_services@aep.com). Kentucky Power is engaged in the generation, purchase, transmission, distribution and sale of electric power. The Company serves approximately 170,000 retail customers in the following 20 counties of eastern Kentucky: Boyd, Breathitt, Carter, Clay, Elliott, Floyd, Greenup, Johnson, Knott, Lawrence, Leslie, Letcher, Lewis, Magoffin, Martin, Morgan, Owsley, Perry, Pike and Rowan. In addition, the Company also supplies electric power at wholesale to other utilities and

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<sup>1</sup> A certified copy of the Company's Articles of Incorporation and all amendments thereto was attached to the Joint Application in *In the Matter Of: The Joint Application Of Kentucky Power Company, American Electric Power Company, Inc. And Central And South West Corporation Regarding A Proposed Merger*, P.S.C. Case No. 99-149. The July 15, 2015 Kentucky Power "Certificate of Existence" issued by the Secretary of State of the Commonwealth of Kentucky is filed as **EXHIBIT I** to this Application.

municipalities in Kentucky for resale. Kentucky Power is a utility as that term is defined at KRS 278.010. [807 KAR 5:005, Section 14].

2. Kentucky Power is a direct, wholly-owned subsidiary of American Electric Power Company, Inc. ("AEP.") AEP is a multi-state public utility holding company whose operating companies provide electric utility service to customers in parts of eleven states – Arkansas, Indiana, Kentucky, Louisiana, Michigan, Ohio, Oklahoma, Tennessee, Texas, Virginia and West Virginia. AEP is not a party to this proceeding.

#### Basis For Deviation

3. An employee of Asplundh Tree Expert Co. ("Asplundh"), one of the Company's vegetation management contractors, was killed in a contact accident on July 9, 2015.

4. 807 KAR 5:027(2) requires that a summary written report be filed within seven days of the accident or on or before July 16, 2015.

5. Beginning July 13, 2015 a series of thunderstorms and high winds swept through the Company's service territory causing substantial outages.

6. Kentucky Power and Asplundh currently are working to restore service to the Company's customers affected by the storms. As a result, Kentucky Power and Asplundh have been unable to complete the investigation into the accident required to complete the summary written report. As a result, the Company does not believe it will be able to file the required summary written report by July 16, 2015.

7. The need to restore service to the Company's customers and to investigate the accident sufficiently to prepare the required summary written report constitute good cause for a

deviation from the requirement that the summary written report be filed within seven days of the accident.

8. Kentucky Power anticipates that the summary written report can be prepared and filed by July 22, 2015.

### **Communications**

9. The Applicant respectfully requests that communications in this matter be addressed to:

Mark R. Overstreet  
STITES & HARBISON PLLC  
421 West Main Street  
P.O. Box 634  
Frankfort, Kentucky 40602-0634  
[moverstreet@stites.com](mailto:moverstreet@stites.com)

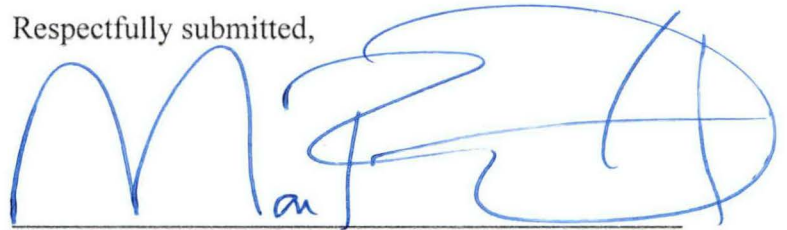
Kentucky Power Company  
P.O. Box 5190  
Frankfort, Kentucky 40602-5190  
[kentucky\\_regulatory\\_services@aep.com](mailto:kentucky_regulatory_services@aep.com)

Wherefore, Kentucky Power Company respectfully requests that the Commission enter an Order:

1. Granting Kentucky Power Company a deviation from 807 KAR 5:027(2) to permit the Company to file the required written report concerning the July 9, 2015 fatal accident on or before July 22, 2015; and

2. Granting Kentucky Power Company all other relief to which it is entitled.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'M. Overstreet', with a large, stylized flourish extending to the right.

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