

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF EAST KENTUCKY POWER)	
COOPERATIVE, INC. FOR ISSUANCE OF A)	
CERTIFICATE OF PUBLIC CONVENIENCE AND)	CASE NO.
NECESSITY, APPROVAL OF CERTAIN)	2016-00269
ASSUMPTION OF EVIDENCES OF)	
INDEBTEDNESS AND ESTABLISHMENT OF A)	
COMMUNITY SOLAR TARIFF)	

ORDER

On July 21, 2016, East Kentucky Power Cooperative, Inc., (“EKPC”) filed a motion to deviate from the filing requirements of 807 KAR 5:001, Section 15(2)(d)(2), contemporaneously with tendering an application (“Application”) seeking a Certificate of Public Convenience and Necessity (“CPCN”) for the proposed construction of an 8.5-megawatt (“MW”) community solar facility located at EKPC’s headquarters in Clark County, Kentucky. In the Application, EKPC also requests Commission approval to assume certain evidences of indebtedness related to the proposed construction, and approval of wholesale and retail community solar tariffs. Pursuant to 807 KAR 5:001, Section 15(2)(d)(2), an applicant is required to submit with its CPCN application electronic and paper copies of plans, specifications, and drawings of the proposed construction.

In support of its motion, EKPC states that it recently entered into a turnkey engineering, procurement, and construction agreement (“Agreement”) with Lendlease (US) Public Partnerships, LLC (“Lendlease”). Pursuant to the terms of the Agreement,

Lendlease will perform all design, construction, and installation work necessary for the completion of the proposed 8.5-MW community solar facility. Because the plans, specifications, and drawings of the proposed solar facility will be generated by Lendlease, the documents are not currently within EKPC's custody or control. EKPC confirms that it will supplement the Application with the plans, specifications, and drawings of the proposed solar facility once they are available to EKPC.

807 KAR 5:001, Section 22, permits the Commission, for good cause shown, to allow a deviation from the rules contained in 807 KAR 5:001. Having reviewed the record and being otherwise sufficiently advised, the Commission finds that EKPC has demonstrated good cause for the omission of the construction plans and that the motion to deviate from the filing requirements of 807 KAR 5:001, Section 15(2)(d)(2,) should be granted. The Commission further finds that EKPC should provide the plans, specifications, and drawings of the proposed 8.5-MW community solar facility within ten days of the date Lendlease makes the documents available to EKPC.

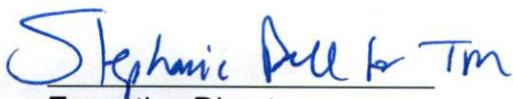
IT IS THEREFORE ORDERED that:

1. EKPC's request for a deviation from 807 KAR 5:001, Section 15(2)(d)(2), is granted.
2. EKPC shall provide the plans, specifications, and drawings of the proposed 8.5-MW community solar facility within ten days of obtaining the documents from Lendlease.
3. EKPC's application is considered filed as of the date of this Order.

By the Commission

ENTERED
AUG 04 2016
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


Executive Director

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