

**Goss  
Samford**

ATTORNEYS AT LAW | PLLC

**David S. Samford**  
(859) 368-7740  
david@gosssamfordlaw.com

February 3, 2017

**RECEIVED**

FEB 3 2017  
PUBLIC SERVICE  
COMMISSION

Dr. Talina R. Mathews, Ph.D.  
Executive Director  
Public Service Commission  
211 Sower Boulevard  
Frankfort, Kentucky 40602

Re: PSC Case No. 2016-00335

Dear Dr. Mathews:

Please find enclosed for filing with the Commission in the above-referenced case, an original and eight copies of the Motion of East Kentucky Power Cooperative, Inc., ("EKPC") to submit the case for adjudication on the administrative record.

Please return a file-stamped copy to my office.

Very truly yours,

 (by Ryan R. Gendron)

David S. Samford

Enclosures

**COMMONWEALTH OF KENTUCKY**

**BEFORE THE PUBLIC SERVICE COMMISSION**

**In the Matter of:**

<b>AN EXAMINATION BY THE PUBLIC SERVICE</b>	)	
<b>COMMISSION OF THE ENVIRONMENTAL</b>	)	
<b>SURCHARGE MECHANISM OF EAST</b>	)	
<b>KENTUCKY POWER COOPERATIVE, INC.</b>	)	<b>CASE NO.</b>
<b>FOR THE SIX-MONTH BILLING PERIOD</b>	)	<b>2016-00335</b>
<b>ENDING JUNE 30, 2015 AND THE PASS THROUGH</b>	)	
<b>MECHANISM FOR ITS SIXTEEN MEMBER</b>	)	
<b>DISTRIBUTION COOPERATIVES</b>	)	

---

**MOTION TO SUBMIT CASE FOR ADJUDICATION  
ON THE ADMINISTRATIVE RECORD**

---

Comes now East Kentucky Power Cooperative, Inc. (“EKPC”), by counsel, and, for itself and on behalf of its sixteen Members, hereby moves the Kentucky Public Service Commission (“Commission”) to submit the case for a decision based upon the existing record and without the need for a hearing, respectfully stating as follows:

On October 12, 2016, the Commission issued an Order opening an investigation for the six-month review of EKPC’s environmental surcharge and pass-through mechanisms. The October 12, 2016 Order contained a procedural schedule which allowed for the filing of direct testimony, data requests, and a deadline for motions to intervene in the case. EKPC and its Members have provided all of the requested information and there have been no motions for intervention filed in this case. EKPC and its Members have until February 8, 2017, to request a hearing or submit the case for a decision on the existing record.

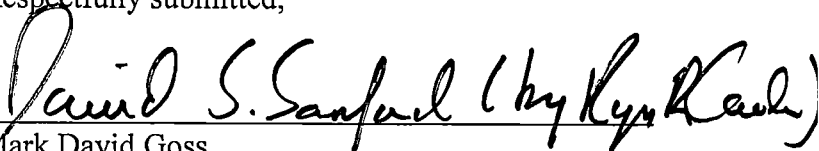
EKPC and its Members believe the administrative record is complete and it would be appropriate for the Commission to make a ruling based upon the record. However, during the

November 9, 2016 informal conference held in this case, EKPC presented an alternative methodology for the calculation of its monthly environmental surcharge factor, the flat rate methodology. During the November 9, 2016 informal conference, EKPC indicated to the Commission Staff it would not be opposed to holding a hearing on the flat rate methodology if that would be helpful in the Commission's consideration of that methodology. EKPC reaffirms that position with this filing.

WHEREFORE, EKPC and its Members move the Commission to submit the case on the existing administrative record, unless a hearing would assist the Commission in its consideration of EKPC's flat rate methodology.

This 3 day of February, 2017

Respectfully submitted,



Mark David Goss  
David S. Samford  
GOSS SAMFORD, PLLC  
2365 Harrodsburg Road, Suite B325  
Lexington, KY 40504  
(859) 368-7740  
[mdgoss@gosssamfordlaw.com](mailto:mdgoss@gosssamfordlaw.com)  
[david@gosssamfordlaw.com](mailto:david@gosssamfordlaw.com)

*Counsel for East Kentucky Power Cooperative, Inc.*

## CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing was deposited in the custody and care of the U.S. Mail, postage prepaid, on this the 3 day of February 2017, addressed to the following:

Allen Anderson  
President & CEO  
South Kentucky R.E.C.C.  
925-929 N Main Street  
P. O. Box 910  
Somerset, KY 42502-0910

Kerry K. Howard  
Chief Executive Officer  
Licking Valley R.E.C.C.  
P. O. Box 605  
271 Main Street  
West Liberty, KY 41472

Chris Brewer  
President & CEO  
Clark Energy Cooperative, Inc.  
2640 Ironworks Road  
P. O. Box 748  
Winchester, KY 40392-0748

James L. Jacobus  
President & CEO  
Inter-County Energy Cooperative Corp.  
1009 Hustonville Road  
P. O. Box 87  
Danville, KY 40423-0087

David Estep  
President & General Manager  
Big Sandy R.E.C.C.  
504 11th Street  
Paintsville, KY 41240-1422

Debbie J. Martin  
President & CEO  
Shelby Energy Cooperative, Inc.  
620 Old Finchville Road  
Shelbyville, KY 40065

Carol Ann Fraley  
President & CEO  
Grayson R.E.C.C.  
109 Bagby Park  
Grayson, KY 41143

Michael L. Miller  
President & CEO  
Nolin R.E.C.C.  
411 Ring Road  
Elizabethtown, KY 42701-6767

Ted Hampton  
Manager  
Cumberland Valley Electric, Inc.  
Highway 25E  
P. O. Box 440  
Gray, KY 40734

Barry L. Myers  
Manager  
Taylor County R.E.C.C.  
625 West Main Street  
P. O. Box 100  
Campbellsville, KY 42719

Tim Sharp  
President & CEO  
Salt River Electric Cooperative Corp.  
111 West Brashear Avenue  
P. O. Box 609  
Bardstown, KY 40004

Joni K. Hazelrigg  
President & CEO  
Fleming-Mason Energy Coop., Inc.  
1449 Elizaville Road  
P. O. Box 328  
Flemingsburg, KY 41041

Bill T. Prather  
President & CEO  
Farmers R.E.C.C.  
504 South Broadway  
P. O. Box 1298  
Glasgow, KY 42141-1298

Mark Stallons  
President & CEO  
Owen Electric Cooperative, Inc.  
8205 Highway 127 North  
P. O. Box 400  
Owenton, KY 40359

Charles G. Williamson III, CPA  
Blue Grass Energy Cooperative Corp.  
1201 Lexington Road  
P. O. Box 990  
Nicholasville, KY 40340-0990

Carol Wright  
President & CEO  
Jackson Energy Cooperative Corp.  
115 Jackson Energy Lane  
McKee, KY 40447

  
*David S. Sanford (by Reginald C. Cauden)*  
Counsel for East Kentucky Power Cooperative