

**Goss  
Samford**

ATTORNEYS AT LAW | PLLC

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PUBLIC SERVICE  
COMMISSION

**David S. Samford**

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February 12, 2019

**VIA HAND DELIVERY**

Ms. Gwen Pinson, Executive Director  
Kentucky Public Service Commission  
P.O. Box 615  
211 Sower Boulevard  
Frankfort, KY 40602

Re: *In the Matter of the Application of East Kentucky Power Cooperative, Inc. for Approval to Amend its Environmental Compliance Plan and Recover Costs Pursuant to its Environmental Surcharge, and for the Issuance of a Certificate and Public Convenience and Necessity; PSC Case No. 2018-00270*

Dear Ms. Pinson:

Please find enclosed for filing with the Commission in the above-referenced case an original and ten copies of East Kentucky Power Cooperative, Inc.'s ("EKPC") Motion to Submit Case for Adjudication on the Administrative Record.

Please return a file stamped copy of this filing to my office.

Sincerely,



David S. Samford

Enclosures

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COMMONWEALTH OF KENTUCKY

FEB 12 2019

BEFORE THE PUBLIC SERVICE COMMISSION PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

THE APPLICATION OF EAST KENTUCKY )
POWER COOPERATIVE, INC. FOR APPROVAL )
TO AMEND ITS ENVIRONMENTAL )
COMPLIANCE PLAN AND RECOVER COSTS )
PURSUANT TO ITS ENVIRONMENTAL )
SURCHARGE, AND FOR THE ISSUANCE OF )
A CERTIFICATE OF PUBLIC CONVENIENCE )
AND NECESSITY )

CASE NO. 2018-00270

MOTION TO SUBMIT CASE FOR ADJUDICATION ON THE ADMINISTRATIVE RECORD

Comes now East Kentucky Power Cooperative, Inc. ("EKPC"), by counsel, and hereby moves the Kentucky Public Service Commission ("Commission") to submit the above-styled case for a decision based upon the existing record and without the need for a hearing, respectfully stating as follows:

On October 16, 2018, the Commission issued an Order establishing a procedural schedule which allowed for the filing of direct testimony, data requests and a deadline for motions to intervene in the case. The only intervenor in the case is the Office of the Kentucky Attorney General ("AG"). Both EKPC and the AG have provided all of the requested information.

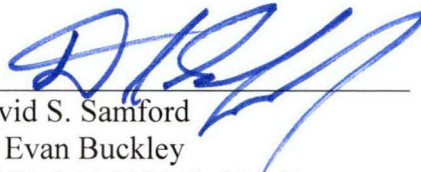
Since the remainder of the procedural schedule only allows for rebuttal testimony of EKPC and EKPC does not plan to file any rebuttal testimony, EKPC believes the administrative record is complete and it would be appropriate for the Commission to make a ruling based upon the record. EKPC respectfully waives the right to a hearing and requests a decision from the

Commission based upon the existing record. Following consultation, EKPC understands that the AG does not have an objection to this motion.

WHEREFORE, EKPC moves the Commission to submit the case on the existing administrative record.

This 12<sup>th</sup> day of February, 2019.

Respectfully submitted,



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*Counsel for East Kentucky Power Cooperative, Inc.*

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the foregoing was served by depositing same into the custody and care of the U.S. Mail, postage prepaid on this 12<sup>th</sup> day of February 2019, addressed to the following:

Hon. Rebecca W. Goodman  
Hon. Larry Cook  
Hon. Kent Chandler  
Assistant Attorneys General  
1024 Capital Center Drive, Suite 200  
Frankfort, Kentucky 40601-8204



*Counsel for East Kentucky Power Cooperative, Inc.*