

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC INVESTIGATION OF)	
KENTUCKY POWER COMPANY'S)	CASE NO.
DEVIATION FROM 807 KAR 5:054, SECTION)	2020-00134
5(1)(A) AND (2))	

ORDER

On April 28, 2020, the Commission initiated this proceeding to determine whether to revoke or modify an Order in Case No. 2000-00279¹ that permits Kentucky Power Company (Kentucky Power) to deviate from requirements established in 807 KAR 5:054 to file biennial reports related to Kentucky Power's avoided costs and its capacity plan for the next ten years. On May 15, 2020, Kentucky Power filed a response stating that it does not object if the Order in Case No. 2000-00279 was revoked. Kentucky Power also filed its avoided cost report for 2010-2019 and proposed to make its next filing required by 807 KAR 5:054 on or before June 30, 2022.

Based upon Kentucky Power's response and the case record, the Commission finds that good cause exists and therefore, pursuant to KRS 278.390, revokes the Order issued on August 4, 2000 in Case No. 2000-00279 that permitted Kentucky Power to deviate from the filing requirements of 807 KAR 5:054, Sections 5(1)(a) and (2). First, 807 KAR 5:054 does not contain a provision that expressly permits a utility to deviate from the filing requirements established in 807 KAR 5:054. Second, Kentucky Power

¹ Case No. 2000-00279, *Request of Kentucky Power Company d/b/a American Electric Power for Deviation from 807 KAR 5:054, Section 5(1)(a) and (2)* (Ky. PSC Aug. 4, 2000) (Final Order).

stated that it will not object to the revocation of the August 4, 2000 Order in Case No. 2000-00279.

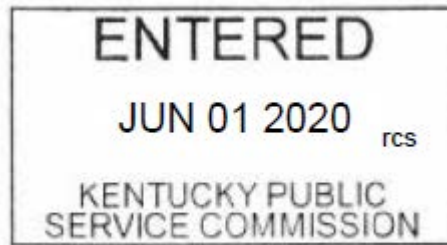
The Commission further finds that Kentucky Power should comply with the filing requirements established in 807 KAR 5:054 in the future, with the next filing due on or before June 30, 2022.

Finally, the Commission finds that the reasonableness of Kentucky Power's cogeneration tariffs, particularly as they relate to the avoided cost data filed in this proceeding, will be adjudicated in Case No. 2020-00174, the pending rate case for which Kentucky Power filed notice on May 29, 2020.

IT IS THEREFORE ORDERED that:

1. The Commission's August 4, 2000 Order in Case No. 2000-00279 granting Kentucky Power the authority to deviate from the filing requirements of 807 KAR 5:054 is revoked and no longer in operation as of the date of entry of this Order.
2. Kentucky Power shall submit its next filing pursuant to 807 KAR 5:054 on or before June 30, 2022.
3. This case is closed and removed from the Commission's Docket.

By the Commission



ATTEST:



Executive Director

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