

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC TARIFF FILING OF EAST	)	
KENTUCKY POWER COOPERATIVE, INC. FOR	)	CASE NO.
APPROVAL OF A SHORTENED NOTICE PERIOD	)	2025-00063
PURSUANT TO KRS 278.180(1)	)	

ORDER

On March 7, 2025, East Kentucky Power Cooperative, Inc. (EKPC) filed two proposed Industrial Power Agreements with Interruptible Service (Agreements) between EKPC, Cumberland Valley Electric, Inc. (Cumberland Valley Electric), and Letcher Power, LLC (Letcher Power). EKPC proposed an effective date of April 1, 2025, and requested a deviation from the 30-day notice requirement in KRS 278.180(1) and 807 KAR 5:011 Section 9.

LEGAL STANDARD

No change in rates shall be made by a utility except upon 30 days' notice. The Commission may, based upon good cause shown, shorten the notice period from 30 days to a period not less than 20 days.<sup>1</sup>

DISCUSSION AND FINDINGS

Cumberland Valley Electric had a cryptocurrency customer leave its service territory.<sup>2</sup> Letcher Power proposed to use the facilities already in place for a new

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<sup>1</sup> KRS 278.180(1) and 807 KAR 5:011 Section 9.

<sup>2</sup> Motion for Deviation (filed Mar. 7, 2025) at 2.

cryptocurrency mining operation.<sup>3</sup> Cumberland Valley Electric and Letcher Power entered into agreements for service at the two vacated locations. The parties were not able to execute the Agreements prior to March 1, 2025, and therefore, EKPC could not give the Commission the required 30-day statutory notice in order for the Agreements to become effective April 1, 2025.<sup>4</sup> EKPC stated that allowing the Agreements to go into effect on April 1, 2025, would allow Cumberland Valley Electric to quickly replace the load and revenues lost from the prior cryptocurrency mining operation.<sup>5</sup> If the request for the shortened notice period were to be denied, EKPC stated that the earliest possible effective date would be May 1, 2025, as EKPC is unable to implement the billing necessary for Letcher Power on any day other than the first of the month.<sup>6</sup>

The Commission finds that EKPC's request for a shortened notice period should be granted, and the Agreements should have an effective date of April 1, 2025. By providing 24-days' notice, EKPC complied with the provision in KRS 278.180(1) allowing for a shortened notice period of less than 30 days but not less than 20 days. The Commission does not find that the shortened notice period in this circumstance will cause harm to any party. On the contrary, granting the request will allow EKPC and Cumberland Valley Electric to quickly replace the load and revenues lost as a result of the previous customer leaving Cumberland Valley Electric's service territory.

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<sup>3</sup> Motion for Deviation at 2.

<sup>4</sup> Motion for Deviation at 3.

<sup>5</sup> Motion for Deviation at 5.

<sup>6</sup> Motion for Deviation at 5.

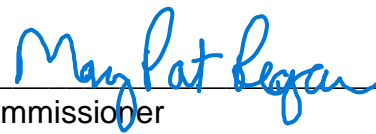
IT IS THEREFORE ORDERED that:

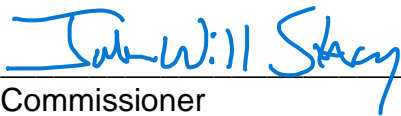
1. EKPC's request for a shortened notice period is granted, and the Agreements shall have an effective date of April 1, 2025.
2. This case is closed and removed from the Commission's docket.

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PUBLIC SERVICE COMMISSION

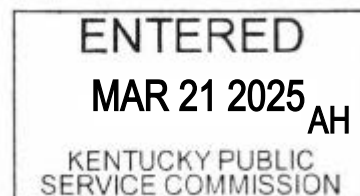
  
Chairman

  
Commissioner

  
Commissioner

ATTEST:

  
Executive Director



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