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October 2, 2024

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**ELECTRONICALLY FILED**

Linda C. Bridwell  
Executive Director  
Public Service Commission  
211 Sower Boulevard  
P.O. Box 615  
Frankfort, KY 40602-0615

RECEIVED

OCT 02 2024

PUBLIC SERVICE  
COMMISSION

RE: **Case No. 2007-00191** (Post-Case Correspondence File)

Dear Ms. Bridwell:

This letter constitutes the Read1st file required by 807 KAR 5:001, Section 8(5):

(a) General Description of the Filing – Kentucky Power is electronically filing herewith:

- (i) The Read1st file required by 807 KAR 5:001, Section 8(5);
- (ii) Kentucky Power Company's Motion to Modify June 29, 2007 Order.

(b) Materials Not Included In The Electronic Filing – Kentucky Power is filing by email to the Commission only:

- (i) None.

(c) Attestation – The electronically-filed documents are a true representation of the original documents.

(d) Service – There are no parties to this proceeding who have been excused from electronic filing procedures [807 KAR 5:001, Section 8(7)(c)]. A copy of the materials identified above as being electronically filed was served by using the Public Service Commission of Kentucky's electronic filing service, which will send an e-mail message to all counsel and parties of record.

(e) Other Matters – None.

Linda C. Bridwell  
October 2, 2024  
Page 2

Very truly yours,

STITES & HARBISON PLLC



Katie M. Glass

KMG

**COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION**

In The Matter Of:

REQUEST FOR DEVIATION BY KENTUCKY	)	
POWER COMPANY FROM THE	)	
REQUIREMENTS OF 807 KAR 5:006, SECTION	)	Case No. 2007-00191
13(1)(C), REGARDING POSTING OF	)	
CUSTOMER BILL OF RIGHTS	)	

**Kentucky Power Company’s Motion To Modify June 29, 2007 Order**

Kentucky Power Company (“Kentucky Power”) respectfully moves the Public Service Commission of Kentucky to issue an order **no later than December 1, 2024**, modifying its June 29, 2007 Order (the “Order”) in this proceeding to allow Kentucky Power to display its customer bill of rights at its places of business and on its website instead of sending an insert in each residential customer’s September bill each year, as set forth in the Order. In support thereof, Kentucky Power states:

1. In this proceeding, in May 2007, Kentucky Power sought a deviation pursuant to 807 KAR 5:001, Section 14, from the requirement imposed by 807 KAR 5:006, Section 13(1)(c), concerning the posting of the customer bill of rights.

2. In 2007, 807 KAR 5:006, Section 13(1)(c) required:

Display of customer rights. Each utility shall prominently display *in each office in which payment is received* a summary, to be prepared and provided by the commission, of the customer’s rights under this section and Section 15 of this administrative regulation. (emphasis added)

3. In 2007, Kentucky Power did not own or operate any “office in which payment is received.” Rather, Kentucky Power contracted with independent third parties to receive payments on its behalf from Kentucky Power customers desiring to pay in person. These payment centers were generally located in banks, grocery stores, and drugstores. Kentucky

Power exerted no control or supervision over the independent third-party providers concerning the manner and method in which payments are accepted from Kentucky Power's customers on Kentucky Power's behalf.

4. Kentucky Power proposed and was granted a deviation to include a copy of the customer bill of rights in each residential customer's bill once annually during the September billing cycle. Kentucky Power argued that the mailing of the customer bill of rights as an insert in a customer's bill was a more effective means of furthering the purpose of the regulation, given that Kentucky Power did not own or operate any "office in which payment is received."

5. Currently, Kentucky Power is only able to send one customer notice or other bill insert during each billing month. Thus, if Kentucky Power sends the customer rights bill insert with September billing as required by the Order, Kentucky Power is not able to send any other bill insert or customer notice in that month. September is a shoulder month preceding the winter heating months. Kentucky Power believes that other bill inserts or customer notices, for example, notices concerning how to manage usage during the winter heating months, may be more beneficial to customers at that time. In addition, printing and including a customer bill of rights with each customer bill requires additional cost, time, and labor that could be avoided.

6. Further, since the 2007 Order, the regulatory requirement has changed and is now found under 807 KAR 5:006, Section 14(1)(c). The requirement now states that utilities shall "display *in each office open to the public* for customer service, and shall post on its Web site, if it maintains a Web site" its customer bill of rights (emphasis added).

7. Kentucky Power now requests a deviation from the 2007 Order allowing and directing Kentucky Power to send a copy of the customer bill of rights as an insert with

September billing, *and* the newer regulatory requirement to “display [the bill of rights] in each office open to the public for customer service.”

8. Kentucky Power instead requests to display the customer bill of rights on the doors of each of its places of business. Further, consistent with the updated regulatory requirement, Kentucky Power already posts the customer bill of rights on its website, and is not seeking a deviation with respect to that requirement:

<https://www.kentuckypower.com/company/about/rates/>.

9. Kentucky Power does not have “offices open to the public for customer service” as set forth in 807 KAR 5:006, Section 14(1)(c). Instead, Kentucky Power has several places of business that require badge access or permission to enter the building.

10. If granted the requested deviation, the customer bill of rights would be posted on the door of each of Kentucky Power’s places of business. Although the places of business listed below are secure locations requiring badge access, customers can ring a doorbell at each location to be provided a space to further inspect the posting, if requested. Kentucky Power’s places of business are:

- Ashland Corporate Office, 1645 Winchester Avenue, Ashland, Kentucky;
- Cannonsburg (Ashland) Service Center, 12333 Kevin Avenue, Ashland, Kentucky;
- Hazard Service Center, 1400 E. Main Street, Hazard, Kentucky; and
- Pikeville Service Center, 3249 N. Mayo Trail, Pikeville, Kentucky.

11. Modifying the order to permit posting at the above-listed locations, as well as continuing to post the bill of rights on Kentucky Power’s website, meets the purpose of the updated regulatory requirement, as set forth in 807 KAR 5:006, Section 14(1)(c), and will allow

Kentucky Power to send other important, more time sensitive customer notices with September billing, and will save Kentucky Power the additional cost, time, and labor of including the customer bill of rights as a bill insert.

WHEREFORE, Kentucky Power Company respectfully requests that the Commission issue an order no later than December 1, 2024:

1. Amending its June 29, 2007 Order in this proceeding as described above to allow Kentucky Power, beginning January 1, 2025, to display its customer bill of rights at its places of business and on its website instead of including it as an insert in each of its residential customer's bills in September of each year; or

2. In the alternative, amending its June 29, 2007 Order in this proceeding to allow Kentucky Power to include the customer bill of rights as an insert in each of its residential customer's bill once annually, during a month chosen at Kentucky Power's discretion, and on its website; and

3. Granting such further relief to which the Company may be entitled.

Respectfully submitted,



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