

**Frost  
Brown Todd** LLC  
ATTORNEYS

KENTUCKY · OHIO · INDIANA · TENNESSEE · WEST VIRGINIA

Mark David Goss  
(859) 244-3232  
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RECEIVED

March 31, 2009

MAR 31 2009

PUBLIC SERVICE  
COMMISSION

Via Hand-Delivery

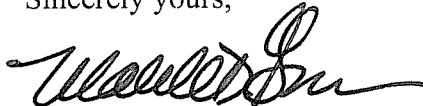
Mr. Jeffrey Derouen  
Executive Director  
Kentucky Public Service Commission  
211 Sower Boulevard  
P. O. Box 615  
Frankfort, Kentucky 40602-0615

Dear Mr. Derouen:

Pursuant to Commission Order in Case No. 2008-00128, dated August 20, 2008, attached for filing is an original and six copies of a proposed revision to EKPC's Tariff for Qualified Cogeneration and Small Power Production Facilities. The new tariff is designated as P.S.C. KY No.7 and both original and crossed-out versions are included herein as Exhibit 1.

If you have any questions, please let me know.

Sincerely yours,



Mark David Goss

Enclosures

# **EXHIBIT I**

P.S.C. KY NO. 7

CANCELS P.S.C. KY NO. 6

EAST KENTUCKY POWER COOPERATIVE, INC.

OF

WINCHESTER, KENTUCKY

RATES, RULES, AND REGULATIONS FOR PURCHASING

ELECTRIC POWER AND ENERGY

AT

VARIOUS LOCATIONS THROUGHOUT KENTUCKY

FROM

QUALIFIED COGENERATION AND

SMALL POWER PRODUCTION FACILITIES

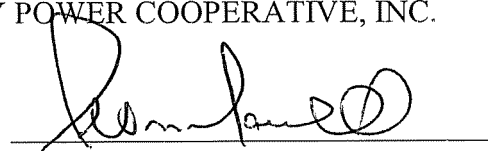
FILED WITH THE PUBLIC SERVICE COMMISSION  
OF KENTUCKY

ISSUED March 31, 2009

EFFECTIVE June 1, 2009

ISSUED BY EAST KENTUCKY POWER COOPERATIVE, INC.

BY



Robert M. Marshall  
President and Chief Executive Officer

EAST KENTUCKY POWER COOPERATIVE, INC.

COGENERATION AND SMALL POWER PRODUCTION  
POWER PURCHASE RATE SCHEDULE OVER 100 kW

**AVAILABILITY**

Available only to qualified cogeneration or small power production facilities with a design capacity of over 100 kW which have executed a contract with East Kentucky Power Cooperative and one of EKPC's member distribution systems for the purchase of electric power by East Kentucky Power Cooperative.

**RATES**

The rates set forth below shall be used as the basis for negotiating a final purchase rate with qualifying facilities pursuant to Section 7 of 807 KAR 5:054.

1. Capacity

- a. \$50.36 per kW per year is applicable if cogenerator or small power producer is dispatched by East Kentucky Power Cooperative. (I)
- b. \$0.005851 per kWh is applicable if cogenerator or small power producer is not dispatched by East Kentucky Power Cooperative. (R)

2. Energy – A base payment per kWh is listed below for a time-differentiated basis or a non-time differentiated basis for the specified years.

a. Time Differentiated Rates:

Year	Winter		Summer	
	On-Peak	Off-Peak	On-Peak	Off-Peak
2009	\$0.06185	\$0.04866	\$0.05010	\$0.02755
2010	\$0.06360	\$0.04895	\$0.05801	\$0.03125
2011	\$0.06471	\$0.05037	\$0.06050	\$0.03358
2012	\$0.07310	\$0.05610	\$0.06526	\$0.03541
2013	\$0.06613	\$0.04911	\$0.07532	\$0.04113

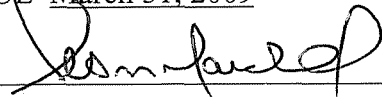
b. Non-Time Differentiated Rates:

Year	2009	2010	2011	2012	2013
Rate	\$0.04876	\$0.05186	\$0.05361	\$0.05916	\$0.05847

DATE OF ISSUE March 31, 2009

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TITLE President & Chief Executive Officer

EAST KENTUCKY POWER COOPERATIVE, INC.

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The on-peak and off-peak energy rates are applicable during the hours listed below for each season:

Winter (October - April)

**On-Peak** 7:00 a.m. - 12:00 noon  
5:00 p.m. - 10:00 p.m.

**Off-Peak** 12:00 noon - 5:00 p.m.  
10:00 p.m. - 7:00 a.m.

Summer (May - September)

**On-Peak** 10:00 a.m. - 10:00 p.m.

**Off-Peak** 10:00 p.m. - 10:00 a.m.

TERMS AND CONDITIONS

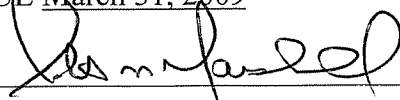
1. All power from a Qualifying Facility (QF) will be sold only to East Kentucky Power Cooperative.
2. Seller must provide good quality electric power within a reasonable range of voltage, frequency, flicker, harmonic currents, and power factor.
3. Qualifying Facility (QF) shall provide reasonable protection for EKPC and the member cooperative's system.
4. Qualifying Facility (QF) shall design, construct, install, own, operate, and maintain the Qualifying Facility in accordance with all applicable codes, laws, regulations, and generally accepted utility practices.
5. Qualifying Facility shall reimburse EKPC and its member cooperative for all costs incurred as a result of interconnecting with the QF, including operation, maintenance, administration, and billing.

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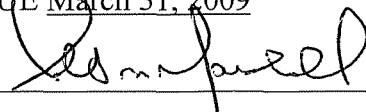
6. Qualifying Facility shall obtain insurance in the following minimum amounts for each occurrence:
  - a. Public Liability for Bodily Injury - \$1,000,000.00
  - b. Property Damage - \$500,000.00
7. Initial contract term shall be for a minimum of five years.
8. Qualifying Facilities proposing to supply as available (non-firm) electric power shall not be entitled to a capacity payment.
9. Qualifying cogeneration and small power production facilities must meet the definition set forth in 807 KAR 5:054 to be eligible for this tariff.
10. Updated rates will be filed with the Public Service Commission of Kentucky by March 31 of each year.

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DATE OF ISSUE March 31, 2009

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TITLE President & Chief Executive Officer

EAST KENTUCKY POWER COOPERATIVE, INC.

COGENERATION AND SMALL POWER PRODUCTION  
POWER PURCHASE RATE SCHEDULE  
LESS THAN 100 kW

**AVAILABILITY**

Available only to qualified cogeneration or small power production facilities with a design capacity of less than 100 kW which have executed a contract with East Kentucky Power Cooperative and one of EKPC's member distribution systems for the purchase of electric power by East Kentucky Power Cooperative.

**RATES**

1. Capacity

- a. \$50.36 per kW per year is applicable if cogenerator or small power producer is dispatched by East Kentucky Power Cooperative. (I)
- b. \$0.005851 per kWh is applicable if cogenerator or small power producer is not dispatched by East Kentucky Power Cooperative. (R)

2. Energy – A base payment per kWh is listed below for a time-differentiated basis or a non-time differentiated basis for the specified years.

a. Time Differentiated Rates:

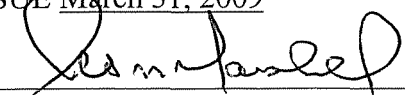
Year	<u>Winter</u>		<u>Summer</u>	
	On-Peak	Off-Peak	On-Peak	Off-Peak
2009	\$0.06185	\$0.04866	\$0.05010	\$0.02755
2010	\$0.06360	\$0.04895	\$0.05801	\$0.03125
2011	\$0.06471	\$0.05037	\$0.06050	\$0.03358
2012	\$0.07310	\$0.05610	\$0.06526	\$0.03541
2013	\$0.06613	\$0.04911	\$0.07532	\$0.04113

b. Non-Time Differentiated Rates:

Year	2009	2010	2011	2012	2013
Rate	\$0.04876	\$0.05186	\$0.05361	\$0.05916	\$0.05847

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TITLE President & Chief Executive Officer

EAST KENTUCKY POWER COOPERATIVE, INC.

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The on-peak and off-peak energy rates are applicable during the hours listed below for each season:

Winter (October - April)

**On-Peak** 7:00 a.m. - 12:00 noon  
5:00 p.m. - 10:00 p.m.

**Off-Peak** 12:00 noon - 5:00 p.m.  
10:00 p.m. - 7:00 a.m.

Summer (May - September)

**On-Peak** 10:00 a.m. - 10:00 p.m.

**Off-Peak** 10:00 p.m. - 10:00 a.m.

TERMS AND CONDITIONS

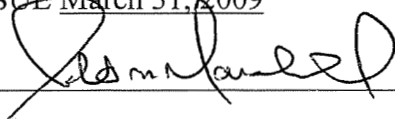
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3. Qualifying Facility (QF) shall provide reasonable protection for EKPC and the member cooperative's system.
4. Qualifying Facility (QF) shall design, construct, install, own, operate, and maintain the Qualifying Facility in accordance with all applicable codes, laws, regulations, and generally accepted utility practices.
5. Qualifying Facility shall reimburse EKPC and its member cooperative for all costs incurred as a result of interconnecting with the QF, including operation, maintenance, administration, and billing.

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EAST KENTUCKY POWER COOPERATIVE, INC.

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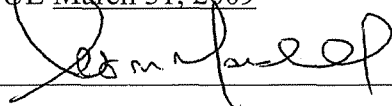
6. Qualifying Facility shall obtain insurance in the following minimum amounts for each occurrence:
  - a. Public Liability for Bodily Injury - \$1,000,000.00
  - b. Property Damage - \$500,000.00
7. Initial contract term shall be for a minimum of five years.
8. Qualifying Facilities proposing to supply as available (non-firm) electric power shall not be entitled to a capacity payment.
9. Qualifying cogeneration and small power production facilities must meet the definition set forth in 807 KAR 5:054 to be eligible for this tariff.
10. Updated rates will be filed with the Public Service Commission of Kentucky by March 31 of each year.

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TITLE President & Chief Executive Officer

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Case No. 2008-00128 Dated August 20, 2008

P.S.C. KY NO. 67

CANCELS P.S.C. KY NO. 56

EAST KENTUCKY POWER COOPERATIVE, INC.  
OF  
WINCHESTER, KENTUCKY

RATES, RULES, AND REGULATIONS FOR PURCHASING  
ELECTRIC POWER AND ENERGY  
AT  
VARIOUS LOCATIONS THROUGHOUT KENTUCKY  
FROM  
QUALIFIED COGENERATION AND  
SMALL POWER PRODUCTION FACILITIES

FILED WITH THE PUBLIC SERVICE COMMISSION  
OF KENTUCKY

ISSUED ~~March 31, 2008~~ March 31, 2009 EFFECTIVE ~~June 1, 2008~~ June 1, 2009

ISSUED BY EAST KENTUCKY POWER COOPERATIVE, INC.

BY \_\_\_\_\_

Robert M. Marshall  
President and Chief Executive Officer

EAST KENTUCKY POWER COOPERATIVE, INC.

COGENERATION AND SMALL POWER PRODUCTION  
POWER PURCHASE RATE SCHEDULE OVER 100 kW

**AVAILABILITY**

Available only to qualified cogeneration or small power production facilities with a design capacity of over 100 kW which have executed a contract with East Kentucky Power Cooperative and one of EKPC's member distribution systems for the purchase of electric power by East Kentucky Power Cooperative.

**RATES**

The rates set forth below shall be used as the basis for negotiating a final purchase rate with qualifying facilities pursuant to Section 7 of 807 KAR 5:054.

1. Capacity

- a. ~~\$40.40~~ *\$50.36* per kW per year is applicable if cogenerator or small power producer is dispatched by East Kentucky Power Cooperative.
- b. ~~\$0.00614~~ *\$0.005851* per kWh is applicable if cogenerator or small power producer is not dispatched by East Kentucky Power Cooperative.

2. Energy – A base payment per kWh is listed below for a time-differentiated basis or a non-time differentiated basis for the specified years.

a. Time Differentiated Rates:

Year	<u>Winter</u>		<u>Summer</u>	
	On-Peak	Off-Peak	On-Peak	Off-Peak
<del>2008</del> <i>2009</i>	<del>\$0.05722</del> <i>\$0.06185</i>	<del>\$0.03881</del> <i>\$0.04866</i>	<del>\$0.05447</del> <i>\$0.05010</i>	<del>\$0.02094</del> <i>\$0.02755</i>
<del>2009</del> <i>2010</i>	<del>\$0.05647</del> <i>\$0.06360</i>	<del>\$0.03461</del> <i>\$0.04895</i>	<del>\$0.05069</del> <i>\$0.05801</i>	<del>\$0.02203</del> <i>\$0.03125</i>
<del>2010</del> <i>2011</i>	<del>\$0.06015</del> <i>\$0.06471</i>	<del>\$0.03899</del> <i>\$0.05037</i>	<del>\$0.06448</del> <i>\$0.06050</i>	<del>\$0.03069</del> <i>\$0.03358</i>
<del>2011</del> <i>2012</i>	<del>\$0.05875</del> <i>\$0.07310</i>	<del>\$0.03817</del> <i>\$0.05610</i>	<del>\$0.05737</del> <i>\$0.06526</i>	<del>\$0.02486</del> <i>\$0.03541</i>
<del>2012</del> <i>2013</i>	<del>\$0.06613</del>	<del>\$0.04911</del>	<del>\$0.07532</del>	<del>\$0.04113</del>

b. Non-Time Differentiated Rates:

Year	<u>2008</u> <u>2009</u>	<u>2009</u> <u>2010</u>	<u>2010</u> <u>2011</u>	<u>2011</u> <u>2012</u>	<u>2012</u> <u>2013</u>
Rate	<del>\$0.04428</del> <i>\$0.04876</i>	<del>\$0.04219</del> <i>\$0.05186</i>	<del>\$0.04933</del> <i>\$0.05361</i>	<del>\$0.04596</del> <i>\$0.05916</i>	<del>\$0.05847</del>

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EAST KENTUCKY POWER COOPERATIVE, INC.

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The on-peak and off-peak energy rates are applicable during the hours listed below for each season:

Winter (October - April)

**On-Peak** 7:00 a.m. - 12:00 noon  
5:00 p.m. - 10:00 p.m.

**Off-Peak** 12:00 noon - 5:00 p.m.  
10:00 p.m. - 7:00 a.m.

Summer (May - September)

**On-Peak** 10:00 a.m. - 10:00 p.m.

**Off-Peak** 10:00 p.m. - 10:00 a.m.

#### TERMS AND CONDITIONS

1. All power from a Qualifying Facility (QF) will be sold only to East Kentucky Power Cooperative.
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7. Initial contract term shall be for a minimum of five years.
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10. Updated rates will be filed with the Public Service Commission of Kentucky by March 31 of each year.

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EAST KENTUCKY POWER COOPERATIVE, INC.

COGENERATION AND SMALL POWER PRODUCTION  
POWER PURCHASE RATE SCHEDULE  
LESS THAN 100 kW

**AVAILABILITY**

Available only to qualified cogeneration or small power production facilities with a design capacity of less than 100 kW which have executed a contract with East Kentucky Power Cooperative and one of EKPC's member distribution systems for the purchase of electric power by East Kentucky Power Cooperative.

**RATES**

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b. Non-Time Differentiated Rates:

Year	<del>2008</del> <i>2009</i>	<del>2009</del> <i>2010</i>	<del>2010</del> <i>2011</i>	<del>2011</del> <i>2012</i>	<del>2012</del> <i>2013</i>
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