### CRAWFORD & BAXTER, P.S.C.

ATTORNEYS AT LAW

523 Highland Avenue P.O. Box 353 Carrollton, Kentucky 41008

James M. Crawford Ruth H. Baxter Alecia Gamm Hubbard Phone: (502) 732-6688 1-800-442-8680 Fax: (502) 732-6920 Email: CBJ523@AOL.COM

RECEIVED

MAR 3 1 2009

**PUBLIC SERVICE** 

COMMISSION

March 31, 2009

HAND-DELIVERED

Dear Mr. Derouen:

Mr. Jeff Derouen, Executive Director Public Service Commission 211 Sower Boulevard Frankfort, Kentucky 40602

RE: Case No. 2008-00128

Pursuant to Commission Order in Case No. 2008-00128 dated August 20, 2008, attached for filing is an original and six copies of updates to Owen Electric Cooperative, Inc.'s, Tariff for Qualified Cogeneration and Small Power Production Facilities.

Respectfully yours,

CRAWFORD & BAXTER, P.S.C.

James M. Crawford

Counsel for Owen Electric Cooperative, Inc.

JMC//mns

Enclosures



March 31, 2009

HAND DELIVERED

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

Dear Mr. Derouen:

Re: PSC Case No. 2008-00128

Pursuant to the Commission's final Order in Case No. 2008-00128, dated August 20, 2008, enclosed herewith is an original and six (6) copies of Owen Electric Cooperative's tariff for Qualified Cogeneration and Small Power Production Facilities.

Please return a stamped copy of this tariff to my attention.

If you have any questions about this filing, please feel free to contact me.

Very truly yours, OWEN ELECTRIC COOPERATIVE, INC.

Mark A. Stallons President & CEO

Enclosures

MA/slc

	FOR Entire Territory Serv	<u>red</u>
	Community, Town or	City
	P.S.C. KY. NO.	6
	2nd Revised SHEET NO.	40A
wen Electric Cooperative, Inc.	CANCELLING P.S.C. KY. NO.	6
(Name of Utility)	1st Revised SHEET NO	40A
CIA	SSIECATION OF SERVICE	

# COGENERATION AND SMALL POWER PRODUCTION POWER PURCHASE RATE SCHEDULE LESS THAN 100 kW (Page 1 of 3)

#### **AVAILABILITY**

Available only to qualified cogenration or small power production facilities with a design capacity of less than 100 kW which have executed a contract with Owen Electric Cooperative, Inc. and East Kentucky Power Cooperative, Inc. ("EKPC") for the purchase of electric power by EKPC.

#### **RATES**

- 1. Capacity
  - a. \$50.36 per kW per year is applicable if cogenerator or small power producer is (I) dispatched by EKPC.
  - b. \$0.005851 per kWh is applicable if cogenerator or small power producer is not dispatched by EKPC. (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:

	Wi	<u>nter</u>	Sun	nmer
Year	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

DATE OF ISSUE	March 31, 2009
	Month / Date / Year
DATE EFFECTIVE	June 1, 2009
	Month / Date / Year
ISSUED BY	
	(Signature of Officer)
TITLE	President/CEO
BY AUTHORITY OF ORDER OF TH	IE PUBLIC SERVICE COMMISSION
IN CASE NO. 2008-00128	DATEDAugust 20, 2008

			FC	)R	Entire Territory Serv Community, Town or (	
			P.5	S.C. KY. NO	).	6
			<u>2n</u>	d Revised	SHEET NO	40B
Owen Electric Cooperative, I	nc.		CA	ANCELLING	G P.S.C. KY. NO	6
(Name of Utility)			<u>1s</u>	t Revised	SHEET NO	40B
	C	LASSICA	TION OF SER	VICE		
CO	GENERATIO	ON AND	SMALL POW	ZER PROI	DUCTION	
	POWE	R PURCH	IASE RATE S	CHEDUL	<u>E</u>	
	LESS THA	<u>AN 100 k'</u>	<u>W (continued</u>	d - Page 2	<u>of 3)</u>	
b. Non-Time Dif	ferentiated R	ates:				
Year	2009	2010	2011	2012	2013	
		\$0.05186	\$0.05361	\$0.0591		(I)
The on-peak and off-peak season:	energy rates	are appli	cable during th	he hours li	sted below for each	
Winter (October -	- April)					
On-Peak	7:00 a.m					
	5:00 p.m	i	10:00 p.m	1.		
Off-Peak	12:00 no	on -	5:00 p.m.			
	10:00 p.1	m	7:00 a.m.			
Summer (May – S	September)					
On-Peak	10:00 a.ı	m	10:00 p.m	١.		
Off-Peak	10:00 p.1	m	10:00 a.m	1.		
TERMS AND CONDIT	<u>IONS</u>					
1. All power from a	Qualifying Fa	acility (Ql	F) will be sold	only to El	KPC.	
2. Seller must provid frequency, flicker,		•	*		ole range of voltage,	
DATE OF ISSUE	March 31,	2009				
DATE EFFECTIVE	Month / Date June 1, 200					
	Month / Date					
ISSUED BY	(Signature of	Officer)				
TITLE	· -					
		TEA				

IN CASE NO. <u>2008-00128</u> DATED <u>August 20, 2008</u>

	FOR Entire Territory Se	rved	
	Community, Town of	r City	
	P.S.C. KY. NO.	6	
	2nd Revised SHEET NO.	40C	
Owen Electric Cooperative, Inc.	CANCELLING P.S.C. KY. NO.	66	
(Name of Utility)	1st Revised SHEET NO.	40C	

#### CLASSICATION OF SERVICE

# COGENERATION AND SMALL POWER PRODUCTION POWER PURCHASE RATE SCHEDULE LESS THAN 100 kW (continued – Page 3 of 3)

- 3. Qualifying Facility (QF) shall provide reasonable protection for EKPC and Owen Electric Cooperative Inc.
- 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 Owen Electric Cooperative, Inc. for all costs incurred as a result of interconnecting with the QF, including operation, maintenance, administration, and billing.
- 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.

DATE OF ISSUE	March 31, 2009
DATE EFFECTIVE	Month / Date / Year  June 1, 2009
	Month / Date / Year
ISSUED BY 1	(Signature of Officer)
TITLE	President/CEO
BY AUTHORITY OF ORDER OF TH	E PUBLIC SERVICE COMMISSION
IN CASE NO. 2008-00128	DATED <u>August 20, 2008</u>

	FOR Entire Territor Community, To	**************************************
	P.S.C. KY. NO	6
	1st Revised SHEET NO.	41A
owen Electric Cooperative, Inc.	CANCELLING P.S.C. KY. NO	
(Name of Utility)	Original SHEE	T NO 41A
CIASS	VIECATION OF SERVICE	

# CENSON CATTON OF SERVICE

# COGENERATION AND SMALL POWER PRODUCTION POWER PURCHASE RATE SCHEDULE OVER 100 kW (Page 1 of 3)

#### **AVAILABILITY**

Available only to qualified cogenration or small power production facilities with a design capacity of over 100 kW which have executed a contract with Owen Electric Cooperative, Inc. and East Kentucky Power Cooperative, Inc. ("EKPC") for the purchase of electric power by EKPC.

#### **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 EKPC.
  - b. \$0.005851 per kWh is applicable if cogenerator or small power producer is not dispatched by EKPC. (R)

(I)

- 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		Wi	<u>nter</u>	<u>Sun</u>	<u>nmer</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	1 '
	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	

DATE OF ISSUE_		March 31, 2009
		Month / Date / Year
DATE EFFECTIVI	Ε	June 1, 2009
		Month / Date / Year
ISSUED BY 🏸		
		(Signature of Officer)
TITLE		President/CEO
BY AUTHORITY	OF ORDER OF TH	E PUBLIC SERVICE COMMISSION
IN CASE NO	2008-00128	DATED <b>August 20, 2008</b>

		FC	OR	Entire Territory S Community, Town		
			P.5	S.C. KY. NO	)	6
			<u>1s</u>	t Revised	_SHEET NO	41B
wen Electric Cooperative	e, Inc.		CA	ANCELLING	G P.S.C. KY. NO	
(Name of Utility)			<u>O</u> 1	riginal	SHEET NO	41B
		CLASSICAT	ΓΙΟΝ OF SER	VICE		
<u>C</u>	POW	ER PURCHA	SMALL POW ASE RATE S (continued - 1	CHEDUL	E	
b. Non-Time D	oifferentiated	Rates:				
Year	2009	<u>2010</u>	2011	2012	2013	<b>(T)</b>
Rate	\$0.04876	\$0.05186	\$0.05361	\$0.0591	6   \$0.05847	(I)

\$0.05361

\$0.05916

\$0.05847

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

\$0.05186

Winter (October – April) On-Peak 7:00 a.m. 12:00 noon 5:00 p.m. 10:00 p.m. 12:00 noon 5:00 p.m. Off-Peak 10:00 p.m. 7:00 a.m. Summer (May – September)

\$0.04876

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

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

## TERMS AND CONDITIONS

Rate

- All power from a Qualifying Facility (QF) will be sold only to EKPC. 1.
- Seller must provide good quality electric power within a reasonable range of voltage, 2. frequency, flicker, harmonic currents, and power factor.

DATE OF ISSUE_		
DAME EPPEARIN	Month / Date / Year	
DATE EFFECTIVI	E June 1, 2009	
	Month / Date / Year	
ISSUED BY		
	(Signature of Officer)	
TITLE	President/CEO	
BY AUTHORITY	OF ORDER OF THE PUBLIC SERVICE COMMISSION	1
IN CASE NO	2008-00128 DATED August 20, 2008	3

		FOR					
			Community, Town	or City			
		P.S.C. KY. NO	).	6			
Owan	Electric Cooperative, Inc.	1st Revised	_SHEET NO	41C			
	_	CANCELLING	G P.S.C. KY. NO				
	(Name of Utility)	Original	SHEET NO	41C			
	CLASSICATION O	F SERVICE					
	COGENERATION AND SMALL PO POWER PURCHASE RATE OVER 100 kW (continued -	SCHEDULE	TION				
3.	Qualifying Facility (QF) shall provide reasonable Cooperative, Inc.	protection for I	EKPC and Owen E	lectric			
4.	Qualifying Facility (QF) shall design, construct Qualifying Facility in accordance with all applical accepted utility practices.		* '				
5.	Qualifying Facility shall reimburse EKPC and Owen Electric Cooperative, Inc. for all costs incurred as a result of interconnecting with the QF, including operation, maintenance, administration, and billing.						
6.	Qualifying Facility shall obtain insurance in the occurrence:	e following min	imum amounts for	each			
	a. Public Liability for Bodily Injury - \$1,000,0	00.000					
	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 availant entitled to a capacity payment.	able (non-firm) e	lectric power shall 1	not be			
9.	Qualifying cogeneration and small power product forth in 807 KAR 5:054 to be eligible for this tariff		st meet the definition	on set			
10.	Updated rates will be filed with the Public service each year.	Commission of	Kentucky by March	31 of			
DATE	OF ISSUE March 31, 2009  Month / Date / Year						
DATE	EFFECTIVE June 1, 2009	····					
	Month / Date / Year						
ISSUEI	D BY (Signature of Officer)						

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION IN CASE NO. 2008-00128 DATED August 20, 2008

President/CEO

TITLE\_\_\_\_

	tory Served Town or City
P.S.C. KY. NO	6
2nd Revised SHEET NO.	40A
CANCELLING P.S.C. KY. NO	)6
1st Revised SHE	EET NO 40A
	Community, P.S.C. KY. NO.  2nd Revised SHEET NO.  CANCELLING P.S.C. KY. NO.

#### CLASSIFCATION OF SERVICE

# COGENERATION AND SMALL POWER PRODUCTION POWER PURCHASE RATE SCHEDULE LESS THAN 100 kW (Page 1 of 3)

### **AVAILABILITY**

Available only to qualified cogenration or small power production facilities with a design capacity of less than 100 kW which have executed a contract with Owen Electric Cooperative, Inc. and East Kentucky Power Cooperative, Inc. ("EKPC") for the purchase of electric power by EKPC.

### **RATES**

- 1. Capacity
  - a. \$40.40 \$50.36 per kW per year is applicable if cogenerator or small power producer is dispatched by EKPC.
  - b. \$0.00614 \$0.005851 per kWh is applicable if cogenerator or small power producer is not dispatched by EKPC.
  - 2. Energy A base payment per kWh is listed below for a time-differentiated basis or a nontime differentiated basis for the specified years.
    - a. Time Differentiated Rates:

	<u>Wi</u>	<u>nter</u>	<u>Summer</u>			
Year	On-Peak	Off-Peak	On-Peak	Off-Peak		
2008-09	\$0.05722 S0.06185	\$0.03881 S0.04866	<del>\$0.05447</del> -\$0.05010	<del>\$0.02094</del> -\$0.02755		
20 <del>09</del> -10	\$0.05647 S0.06360	\$0.03461 S0.04895	<del>\$0.05069</del> \$0.05801	<del>\$0.02203</del> \$0.03125		
20 <del>10</del> -11	\$0.06015 S0.06471	<del>\$0.03899</del> \$0.05037	<del>\$0.06448</del> -\$0.06050	<del>\$0.03069</del> \$0.03358		
2011 12	\$0.05875 S0.07310	<del>\$0.03817</del> \$0.05610	<del>\$0.05737</del> \$ 0.06526	\$0.02486 \$0.03541		
20 <del>12</del> 13	\$0.06613	\$0.04911	\$0.07532	\$0.04113		

DATE OF ISSUE		March 31, 2009	
		Month / Date / Year	
DATE EFFECTIV	'E	June 1, 2009	MANAGEM COMMISSION CONTRACTOR CON
		Month / Date / Year	
ISSUED BY			
		(Signature of Officer)	
TITLE	·	President/CEO	
DV AUTHODITV	OF ODDED OF TH	IE PUBLIC SERVIC	E COMMISSION
DI AUIDUKIII	OF ORDER OF 1F	IE PUBLIC SERVIC	E COMMISSION
IN CASE NO.	2008-00128	DATED	August 20, 2008

				FOR		107 vs 44° vs v 100 vs		
				FOR			rritory Serve y, Town or Ci	
				P.S.C	. KY. NC			6
				2nd ]	Revised	_SHEET NO	•	40B
wen Electric Cooper	CAN	CELLING	G P.S.C. KY. I	NO.	6			
(Name of Utili	ity)						O	,
		CLAS	SICATIO	ON OF SERVI	CE			
b. Non-Tin	LE:	POWER PU SS THAN 1	JRCHAS 00 kW	ALL POWE E RATE SCI (continued -	<u>HEDUL</u>	E		
				2010 11	1 3	011 12	2012.17	,
Year Rate	<del>2008</del> -09 <del>\$0.04428</del>	\$0.04	<del></del>	\$0.04933		<del>.011</del> -12 0.04596	2012-13 \$0.0584	
	\$0.04876	\$0.05		\$0.05361	· ·	0.05916		
he on-peak and of eason:			applicab	e during the	hours li	sted below t	for each	
Winter (Oc.	•	1) :00 a.m.	_	12:00 noon				
		00 p.m.	-	10:00 p.m.				
Off-	Peak 12	2:00 noon	_	5:00 p.m.				
	10	0:00 p.m.	-	7:00 a.m.				
Summer (M	Iay – Septer	nber)						
		0:00 <sup>°</sup> a.m.	-	10:00 p.m.				
Off-	Peak 10	0:00 p.m.	-	10:00 a.m.				
ERMS AND CO	NDITIONS							

- 1. All power from a Qualifying Facility (QF) will be sold only to EKPC.
- 2. Seller must provide good quality electric power within a reasonable range of voltage, frequency, flicker, harmonic currents, and power factor.

DATE OF ISSUE	March 31, 2009
,	Month / Date / Year
DATE EFFECTIVE	June 1, 2009
	Month / Date / Year
ISSUED BY	
	(Signature of Officer)
TITLE	President/CEO
BY AUTHORITY OF ORDER OF TH	E PUBLIC SERVICE COMMISSION
IN CASE NO. 2008-00128	DATEDAugust 20, 2008

	FOREntire Territory Ser	ved
	Community, Town or	City
	P.S.C. KY. NO	6
	1st Revised SHEET NO.	41A
Owen Electric Cooperative, Inc.	CANCELLING P.S.C. KY. NO	
(Name of Utility)	Original SHEET NO	41A
CI VSSI	IECATION OF SERVICE	

# COGENERATION AND SMALL POWER PRODUCTION POWER PURCHASE RATE SCHEDULE OVER 100 kW (Page 1 of 3)

#### **AVAILABILITY**

Available only to qualified cogenration or small power production facilities with a design capacity of over 100 kW which have executed a contract with Owen Electric Cooperative, Inc. and East Kentucky Power Cooperative, Inc. ("EKPC") for the purchase of electric power by EKPC.

#### **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 EKPC.
  - b. \$0.005851 per kWh is applicable if cogenerator or small power producer is not dispatched by EKPC.
- 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:

	<u>Wi</u>	<u>iter</u>	<u>Summer</u>			
Year	On-Peak	Off-Peak	On-Peak	Off-Peak		
20 <del>08</del> 09	\$ 0.05722\$0.06185	<del>\$0.03881</del> \$0.04866	\$0.05447\$0.05010 \$0.02094\$0.02			
20 <del>09</del> -10	<del>\$0.05647</del> \$0.06360	<del>\$0.03461</del> \$0.04895	<del>\$0.05069</del> \$0.05801	<del>\$0.02203</del> \$0.03125		
20 <del>10-</del> 11	<del>\$0.06015</del> \$0.06471	<del>\$0.03899</del> \$0.05037	<del>\$0.06448</del> \$0.06050	<del>\$0.03069</del> \$0.03358		
2011-12	<del>\$0.05875</del> \$0.07310	<del>\$0.03817</del> \$0.05610	<del>\$0.05737</del> \$0.06526	<del>\$0.02486</del> \$0.03541		
20 <del>12</del> -13	\$0.06613	\$0.04911	\$0.07532	\$0.04113		

DATE OF ISSUE		March 31, 2009	
		Month / Date / Year	
DATE EFFECTIV	'E	June 1, 2009	
		Month / Date / Year	
ISSUED BY			
•		(Signature of Officer)	
TITLE		President/CEO	
DV AUTHODITY	OF ORDER OF TH	E DI IDI IC SEDVIC	E COMMISSION
DI AUTHORITI	OF OKDER OF TH	E I ODLIC SERVIC	E COMMISSION
IN CASE NO.	2008-00128	DATED	August 20, 2008

				1	FOR		Entire Territory Served Community, Town or City	
				]	P.S.C. KY. NO		6	
					1st Revised	_SHEET NO	4 <u>1</u> B	
wen El	lectric Coopera	tive, Inc.			CANCELLING	P.S.C. KY. NO.		
ļ	(Name of Utility	y)		!	Original	SHEET NO	41B	
			CLASSIC	ATION OF SE	RVICE			
		COGENER	ATION ANI	O SMALL PO	WER PROD	UCTION		
				HASE RATE				
		<u>OV</u>	/ER 100 kW	(continued	- Page 2 of 3	<u>)</u>		
	b. Non-Time	e Differentiat	ed Rates:					
	Year	<u>2008 09</u>	<u>2009 10</u>	2010 11	<u>20<del>11</del> 12</u>	<u>20<del>12</del> 13</u>		
	Rate	<del>\$0.04428</del>	\$0.04219	\$0.04933	\$0.04596	\$0.05847		
		\$0.04876	\$0.05186	\$0.05361	\$.005916			
eason:			rates are app	mouore daring		ted below for o	•	
	Winter (Octo			10.00				
	On-P		a.m	12:00 n 10:00 p				
		5:00	p.m	10.00 p	.111.			
	Off-P	<b>eak</b> 12:0	00 noon -	5:00 p.r	n.			
		10:0	00 p.m	7:00 a.r	n.			
	Summer (Ma	ay – Septemb	er)					
	•		00 a.m	10:00 p	.m.			
	Off-P	<b>Peak</b> 10:0	00 p.m	10:00 a	m.			
ERM	S AND CON	DITIONS						
	All power fro	om a Qualifyi	ng Facility (	QF) will be so	ld only to El	KPC.		
				ic power with and power fac		ole range of vo	Itage,	
ATE OF	FISSUE		ch 31, 2009					
ATE EE	FECTIVE	June		***				
	- And Say & A. T. Rad Marine Grange		1 / Date / Year					
SSUED 1	ВҮ	(Signa	ature of Officer)					
TTLE		-	dent/CEO					
		DER OF THE PUI	BLIC SERVICE	COMMISSION				
		0128						