

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KENTUCKY POWER)	
COMPANY FOR APPROVAL OF ITS 2011)	
ENVIRONMENTAL COMPLIANCE PLAN, FOR)	
APPROVAL OF ITS AMENDED)	
ENVIRONMENTAL COST RECOVERY)	CASE NO.
SURCHARGE TARIFF, AND FOR THE GRANT)	2011-00401
OF A CERTIFICATE OF PUBLIC)	
CONVENIENCE AND NECESSITY FOR THE)	
CONSTRUCTION AND ACQUISITION OF)	
RELATED FACILITIES)	

O R D E R

On January 27, 2012, Kentucky Power filed a motion, pursuant to 807 KAR 5:001, Section 14, for leave to deviate from the filing requirements applicable to its responses to the parties' first set of data requests. Kentucky Power also filed a similar motion on February 20, 2012 concerning its responses to the parties' second set of data requests. Pursuant to the directives contained in Commission Staff's January 13, 2012 First Request for Information, Kentucky Power was required to file with the Commission an original and 15 copies of its data responses, and serve one copy on all parties of record.¹ Kentucky Power requests that it be excused from filing paper copies of certain of its responses and attachments because of their voluminous nature.

¹ Commission Staff's Second Request for Information issued on February 8, 2012, required Kentucky Power to file with the Commission an original and 12 copies of its data responses, and serve one copy on all parties of record.

In support of its January 27, 2012 motion, Kentucky Power points out that the attachment to its response to the Sierra Club's information request, Item No. 1-1, contains 9,552 pages. An original and 15 copies of that attachment alone would comprise of 152,832 pages to be filed. Kentucky Power also points out that its response to the Kentucky Industrial Utility Customers, Inc.'s information request, Item No. 1-41, contains 650 pages. An original and 15 copies of that response would require 10,400 pages to be filed. Lastly, Kentucky Power notes that one of its attachments to the Sierra Club's information request, Item No. 1-5, requires more than 480 megabytes of electronic storage.

Rather than filing the required paper copies of its data responses, both of Kentucky Power's motions request approval to file a paper original and 15 paper copies of all documents less than 100 pages; an original of all documents containing 100-499 pages in paper format with the copies to be provided in electronic format; and an original and copies of all documents containing 500 or more pages to be filed in electronic format. Kentucky Power also requested leave to serve the parties with electronic copies of those documents being provided electronically to the Commission.

Based on the motions, a review of the data requests and responses, and being otherwise sufficiently advised, the Commission finds that Kentucky Power has established good cause to deviate from the requirement to file the required number of paper copies of data responses containing 500 or more pages. Electronic format may be used for filing the required copies of responses containing 500 or more pages. However, Kentucky Power should continue to file one paper original of each data response, including those containing 500 or more pages, unless the response consists

of only computer generated modeling input and output files or information that would be mostly unintelligible in paper format because it is intended to be computer read. For all responses containing less than 500 pages, Kentucky Power should continue to file in paper the original and the required copies.

IT IS THEREFORE ORDERED that:

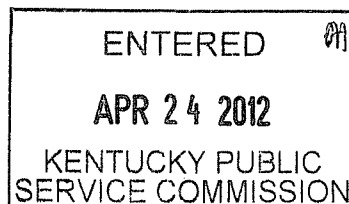
1. Kentucky Power's motions to deviate from the filing requirements are granted in part and denied in part.

2. Kentucky Power is authorized to file in electronic format the required number of copies of each data response containing 500 or more pages and shall file in paper the required copies of each data response containing less than 500 pages.

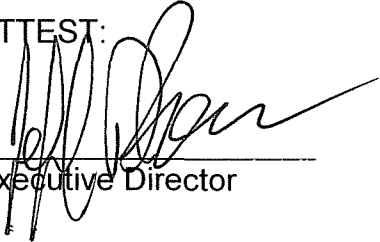
3. Kentucky Power shall file in paper the original of each data response without regard to the number of pages unless the response consists of only computer generated modeling input and output files or information that would be mostly unintelligible in paper format because it is intended to be computer read.

4. Kentucky Power shall file within 7 days of the date of this Order the paper originals and the required number of paper copies of each data response not included in the deviation granted by this Order.

By the Commission



ATTEST:


Executive Director

Case No. 2011-00401

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