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FEB 22 2018

PUBLIC SERVICE  
COMMISSION

February 22, 2018

Ms. Gwen Pinson, Executive Director  
Kentucky Public Service Commission  
P.O. Box 615  
211 Sower Boulevard  
Frankfort, KY 40602

Re: PSC Case No. 2017-00376

Dear Ms. Pinson:

Please find enclosed for filing with the Commission in the above-referenced case an original and ten copies of the Motion to Schedule a Hearing or, Alternatively, to Submit Case for Adjudication on the Administrative Record of East Kentucky Power Cooperative, Inc. ("EKPC").

Please return a file stamped copy of this filing to my office.

Sincerely,



David S. Samford

Enclosure

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FEB 22 2018

PUBLIC SERVICE  
COMMISSION

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

THE APPLICATION OF EAST KENTUCKY	)	
POWER COOPERATIVE, INC. FOR APPROVAL	)	
TO AMEND ITS ENVIRONMENTAL	)	
COMPLIANCE PLAN AND RECOVER COSTS	)	CASE NO. 2017-00376
PURSUANT TO ITS ENVIRONMENTAL	)	
SURCHARGE, SETTLEMENT OF CERTAIN	)	
ASSET RETIREMENT OBLIGATIONS AND	)	
ISSUANCE OF A CERTIFICATE OF PUBLIC	)	
CONVENIENCE AND NECESSITY AND	)	
OTHER RELIEF	)	

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MOTION TO SCHEDULE HEARING OR, ALTERNATIVELY,  
SUBMIT CASE FOR ADJUDICATION  
ON THE ADMINISTRATIVE RECORD

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Comes now East Kentucky Power Cooperative, Inc. ("EKPC"), by counsel, and hereby moves the Kentucky Public Service Commission ("Commission") to schedule a hearing in this matter or, in the alternative, to submit the above-styled case for a decision based upon the existing record and without the need for a hearing, respectfully stating as follows:

On November 20, 2017, EKPC filed an Application requesting the Commission to enter an Order: approving EKPC's proposed amendment of its Environmental Compliance Plan ("Compliance Plan"); granting authority to recover the costs associated with said Compliance Plan amendment through its existing environmental surcharge; issuing a Certificate of Public Convenience and Necessity ("CPCN") for the facilities associated with said Compliance Plan amendment; and allowing settlement of certain Asset Retirement Obligations and regulatory asset.

On December 14, 2017 the Commission issued an Order establishing a procedural schedule to be followed in this proceeding. The Attorney General's Office ("AG") has intervened in this proceeding. The AG has indicated to EKPC that he does not plan on filing any testimony in this proceeding and EKPC, therefore, does not plan to file any rebuttal testimony.

Since the remainder of the procedural schedule only applies to the items listed above involving intervenor's responses to discovery, testimony and rebuttal testimony, EKPC believes it would be appropriate to schedule a hearing or, in the alternative, to submit the administrative record as thus far developed so that the Commission may make a ruling based upon the record.

WHEREFORE, EKPC respectfully moves the Commission to schedule a hearing or submit the case on the existing administrative record.

This 22<sup>nd</sup> day of February, 2018.

Respectfully submitted,



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*Counsel for East Kentucky Power Cooperative, Inc.*

## CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing document has been served by depositing same into the custody and care of the U.S. Postal Service, postage pre-paid, on this 22<sup>nd</sup> day of February 2018, addressed to the following:

Rebecca W. Goodman  
Larry Cook  
Kent Chandler  
Office of the Attorney General  
Office of Rate Intervention  
700 Capitol Ave., Suite 20  
Frankfort, KY 40601-8204



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*Counsel for East Kentucky Power Cooperative, Inc.*