

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

DEMAND-SIDE MANAGEMENT FILING OF EAST	)	CASE NO.
KENTUCKY POWER COOPERATIVE, INC.	)	2019-00059

ORDER

On January 30, 2019, East Kentucky Power Cooperative, Inc. (EKPC), filed proposed tariff sheets setting forth revisions to its demand-side management (DSM) programs.

EKPC proposes to discontinue the following DSM programs:

- (1) DSM-4c, HVAC Duct Sealing Program, due to the fact that the program is difficult to implement;
- (2) DSM-5, Commercial & Industrial Advanced Lighting Program, due to the fact that LEDs are now the baseline light of choice;
- (3) DSM-6, Industrial Compressed Air Program, due to the fact that the program is no longer cost-effective and there is very little participation;
- (4) DSM-8, Appliance Recycling Program, due to the fact that the program is no longer cost-effective; and
- (5) DSM-9, ENERGY STAR® Appliances Program, due to the fact that the program is no longer cost-effective.

EKPC proposes to revise the following DSM programs:

- (1) DSM-2, Touchstone Energy Home Program;

- (2) DSM-3a, Direct Load Control Program – Residential;
- (3) DSM-3b, Direct Load Control Program – Commercial;
- (4) DSM-4a, Button-up Weatherization Program;
- (5) DSM-4b, Heat Pump Retrofit Program; and
- (6) DSM-7, ENERGY STAR® Manufactured Home Program.

The proposed tariffs contain an effective date of March 1, 2019. KRS 278.180(1) states that no change shall be made by any utility in any rate except upon 30 days' notice to the Commission. Having reviewed the tariffs, and being otherwise sufficiently advised, the Commission finds that EKPC's proposed tariffs to discontinue the five DSM programs as listed above are reasonable and should be approved.

The Commission further finds that an investigation will be necessary to determine the reasonableness of EKPC's proposed tariffs to revise the six existing DSM programs listed above and such an investigation cannot be completed by March 1, 2019. Therefore, pursuant to KRS 278.190(2), the Commission will suspend the effective date of those six tariffs for one day and allow them to become effective on March 2, 2019, subject to change prospectively.

IT IS THEREFORE ORDERED that:

1. EKPC's proposed tariffs to discontinue the five DSM programs listed above are approved for service rendered on and after March 1, 2019.
2. EKPC's proposed tariffs to revise the six DSM tariffs listed above are suspended for one day, and shall become effective March 2, 2019, subject to change prospectively.

3. Within 20 days of the date of this Order, EKPC shall, using the Commission's electronic Tariff Filing System, file revised DSM tariffs for the five discontinued DSM programs as approved herein, reflecting that they were approved pursuant to this Order and shall file revised tariffs for the six revised DSM programs suspended herein, reflecting that they were allowed to become effective on March 2, 2019, subject to change prospectively.

4. The procedural schedule set forth in the Appendix to this Order shall be followed.

5. a. Responses to requests for information shall be appropriately bound, tabbed, and indexed and shall include the name of the witness who will be responsible for responding to questions related to the information provided, with copies to all parties of record, and the original and ten copies to the Commission. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked.

b. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or an association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

c. A party shall make timely amendment to any prior response if it obtains information which indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect.

d. For any request to which a party fails or refuses to furnish all or part of the requested information, that party shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

e. Careful attention should be given to copied material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request.

f. Any party filing a paper containing personal information shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that the personal information cannot be read.

9. As set forth in 807 KAR 5:001, Section 4(11)(a), a person requesting permissive intervention in a Commission proceeding is required to demonstrate either (1) a special interest in the proceeding which is not adequately represented in the case, or (2) that the person requesting permissive intervention is likely to present issues or develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings. Further, KRS 278.040(2) requires that a person seeking intervention must have an interest in the rates or service of a utility, as those are the only matters that are subject to the Commission's jurisdiction. Therefore, any person requesting to intervene in a Commission proceeding must state with specificity the person's special interest that is not otherwise adequately represented, or the issues and facts that the person will present that will assist the Commission in fully considering the matter. A mere recitation of the quantity of utility service consumed by the movant or a general statement regarding a potential impact of possible modification

of rates will not be deemed sufficient to establish a special interest. In addition, any motion to intervene filed after March 15, 2019, shall also show good cause for being untimely. If the untimely motion is granted, the movant shall accept and abide by the existing procedural schedule.

10. EKPC shall give notice of the hearing in accordance with the provisions set forth in 807 KAR 5:001, Section 9(2). In addition, the notice of hearing shall include the following statement: "This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov." At the time publication is requested, EKPC shall forward a duplicate of the notice and request to the Commission.

11. At any public hearing in this matter, neither opening statements nor summarization of direct testimonies shall be permitted.

12. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), a digital video recording shall be made of the hearing.

13. The Commission does not look favorably upon motions for continuance. Accordingly, motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause.

14. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

By the Commission

ENTERED  
FEB 27 2019  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:



Executive Director

Case No. 2019-00059

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2019-00059 DATED **FEB 27 2019**

Requests for intervention shall be filed no later than ..... 03/15/19

Initial requests for information to EKPC shall be filed no later than..... 03/29/19

EKPC shall file responses to initial requests for information no  
later than..... 04/12/19

Supplemental requests for information to EKPC shall be filed  
no later than..... 04/26/19

EKPC shall file responses to supplemental requests for information  
no later than..... 05/10/19

EKPC or any Intervenor shall request either a hearing or that  
the case be submitted for decision based on the record no later than..... 05/24/19

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