

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF KENTUCKY	)	
POWER COMPANY FOR (1) A GENERAL	)	
ADJUSTMENT OF ITS RATES FOR	)	
ELECTRIC SERVICE; (2) APPROVAL OF	)	
TARIFFS AND RIDERS; (3) APPROVAL OF	)	CASE NO.
ACCOUNTING PRACTICES TO ESTABLISH	)	2020-00174
REGULATORY ASSETS AND LIABILITIES; (4)	)	
APPROVAL OF A CERTIFICATE OF PUBLIC	)	
CONVENIENCE AND NECESSITY; AND (5)	)	
ALL OTHER REQUIRED APPROVALS AND	)	
RELIEF	)	

ORDER

This matter arises upon the motion of SWVA Kentucky, LLC (SWVA), filed July 30, 2020, for full intervention.

As a basis for its motion to intervene, SWVA explained that its goals are to grow its business and add high-quality manufacturing jobs in Kentucky. SWVA further explained that it purchases large quantities of electricity from Kentucky Power Company (Kentucky Power), and due to the cost of electricity to sustain its operations, an adjustment to Kentucky Power's rates could adversely impact SWVA's operational goals.

In response to SWVA's motion, the Commission issued an Order on August 3, 2020, finding that SWVA failed to provide sufficient information that satisfied the regulatory standard to grant intervention set forth in 807 KAR 5:001, Section 4(11). The Commission explained that it was unclear whether SWVA's special interest was the same or different from another party granted intervention to address the impact of Kentucky

Power's rate adjustment on industrial customers. The Commission further explained that SWVA made a generalized statement but did not provide details, as required by Commission regulations, stating with specificity what issues it intended to raise. The Commission further found that SWVA should be afforded the opportunity to file a written response stating in specific detail its special interest that was not otherwise adequately represented, including the customer class under which it takes service, and specific details regarding the relevant issues and facts that SWVA will address to assist the Commission in this matter.

In its response to Commission Order dated August 3, 2020, SWVA provided specific details regarding its special interest and the relevant issues it will address. SWVA asserted that SWVA is not a member of Kentucky Industrial Utility Customers, Inc. (KIUC), the party granted intervention on behalf of industrial customers, that SWVA takes service under different a customer class than the industrial customer represented by KIUC, and that customer class under which SWVA takes service is subject to proposed modifications. SWVA explained that it intends to issue discovery requests regarding issues raised in Kentucky Power's application and that SWVA will consider filing testimony and briefs and participating in the evidentiary hearing.

It appears to the Commission that such intervention is likely to present issues and develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings. The Commission, being otherwise sufficiently advised, finds that SWVA should be granted full rights of a party in this proceeding. The Commission also directs SWVA to the Commission's March 16, 2020 and March 24, 2020

Orders in Case No. 2020-00085<sup>1</sup> regarding filings with the Commission. The Commission expects the original documents to be filed with the Commission within 30 days of the lifting of the current state of emergency.

The Commission further finds that SWVA should have until Friday, August 14, 2020, to file its initial request for information to Kentucky Power.

IT IS HEREBY ORDERED that:

1. The motion of SWVA to intervene is granted.
2. SWVA shall file initial requests for information to Kentucky Power no later than Friday, August 14, 2020.
3. SWVA shall be entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order.
4. SWVA shall comply with all provisions of the Commission's regulations, 807 KAR 5:001, Section 8, related to the service and electronic filing of documents.
5. SWVA shall adhere to the procedural schedule set forth in the Commission's July 14, 2020 Order and as amended by subsequent Orders.
6. Pursuant to 807 KAR 5:001, Section 8(9), within seven days of entry of this Order, SWVA shall file a written statement with the Commission that:
  - a. Certifies that it, or its agent, possesses the facilities to receive electronic transmissions; and

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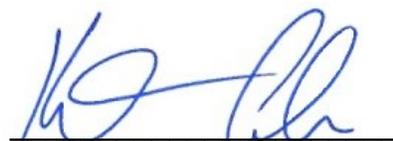
<sup>1</sup> Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC Mar. 16, 2020), Order at 5–6; and Case No. 2020-00085 (Ky. PSC Mar. 24, 2020), Order at 1–3.

b. Sets forth the electronic mail address to which all electronic notices and messages related to this proceeding should be served.

By the Commission



ATTEST:



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Acting Executive Director

\*Angela M Goad  
Assistant Attorney General  
Office of the Attorney General Office of Rate  
700 Capitol Avenue  
Suite 20  
Frankfort, KENTUCKY 40601-8204

\*Thomas J FitzGerald  
Counsel & Director  
Kentucky Resources Council, Inc.  
Post Office Box 1070  
Frankfort, KENTUCKY 40602

\*Larry Cook  
Assistant Attorney General  
Office of the Attorney General Office of Rate  
700 Capitol Avenue  
Suite 20  
Frankfort, KENTUCKY 40601-8204

\*Barry Alan Naum  
Spilman Thomas & Battle, PLLC  
1100 Brent Creek Blvd., Suite 101  
Mechanicsburg, PENNSYLVANIA 17050

\*Jody Kyler Cohn  
Boehm, Kurtz & Lowry  
36 East Seventh Street  
Suite 1510  
Cincinnati, OHIO 45202

\*Michael A Frye  
Honorable  
Jenkins Fenstermaker, PLLC  
325 Eighth Street  
Huntington, WEST VIRGINIA 25701

\*Clay A. Barkley  
Strobo Barkley PLLC  
239 South 5th Street  
Ste 917  
Louisville, KENTUCKY 40202

\*Joe F Childers  
Joe F. Childers & Associates  
300 Lexington Building  
201 West Short Street  
Lexington, KENTUCKY 40507

\*Matt Partymiller  
President  
Kentucky Solar Industries Association  
1038 Brentwood Court  
Suite B  
Lexington, KENTUCKY 40511

\*Carrie H Grundmann  
Spilman Thomas & Battle, PLLC  
110 Oakwood Drive, Suite 500  
Winston-Salem, NORTH CAROLINA 27103

\*John Horne  
Office of the Attorney General Office of Rate  
700 Capitol Avenue  
Suite 20  
Frankfort, KENTUCKY 40601-8204

\*J. Michael West  
Office of the Attorney General Office of Rate  
700 Capitol Avenue  
Suite 20  
Frankfort, KENTUCKY 40601-8204

\*Christen M Blend  
American Electric Power Service Corporation  
1 Riverside Plaza, 29th Floor  
Post Office Box 16631  
Columbus, OHIO 43216

\*Honorable Kurt J Boehm  
Attorney at Law  
Boehm, Kurtz & Lowry  
36 East Seventh Street  
Suite 1510  
Cincinnati, OHIO 45202

\*Honorable Michael L Kurtz  
Attorney at Law  
Boehm, Kurtz & Lowry  
36 East Seventh Street  
Suite 1510  
Cincinnati, OHIO 45202

\*Don C Parker  
Spilman Thomas & Battle, PLLC  
300 Kanawha Blvd, East  
Charleston, WEST VIRGINIA 25301

\*Kentucky Power Company  
1645 Winchester Avenue  
Ashland, KY 41101

\*Honorable Mark R Overstreet  
Attorney at Law  
Stites & Harbison  
421 West Main Street  
P. O. Box 634  
Frankfort, KENTUCKY 40602-0634

\*Honorable David Edward Spenard  
Strobo Barkley PLLC  
239 South 5th Street  
Ste 917  
Louisville, KENTUCKY 40202

\*Katie M Glass  
Stites & Harbison  
421 West Main Street  
P. O. Box 634  
Frankfort, KENTUCKY 40602-0634

\*Robert D. Gladman  
American Electric Power Service Corporation  
1 Riverside Plaza, 29th Floor  
Post Office Box 16631  
Columbus, OHIO 43216

\*Randal A. Strobo  
Strobo Barkley PLLC  
239 South 5th Street  
Ste 917  
Louisville, KENTUCKY 40202