

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF KENTUCKY)	
POWER COMPANY FOR A CERTIFICATE OF)	
PUBLIC CONVENIENCE AND NECESSITY TO)	
CONSTRUCT A 138 KV TRANSMISSION LINE)	CASE NO.
AND ASSOCIATED FACILITIES IN BREATHITT,)	2021-00346
FLOYD AND KNOTT COUNTIES, KENTUCKY)	
(GARRETT AREA IMPROVEMENTS 138 KV)	
TRANSMISSION PROJECT))	

ORDER

On February 8, 2022, Mr. Brent Allen filed a request to reschedule the formal conference previously scheduled for February 11, 2022, due to his inability to attend the conference. Mr. Allen stated he planned on attending the conference virtually with the assistance of a friend, who has now fallen ill and is unable to provide the necessary assistance. The Commission finds that the formal conference in this matter should be rescheduled for February 17, 2022, at 9 a.m. Eastern Standard Time.

Further, the Commission finds that an explanation about why this conference must be held at the time it is scheduled is necessary, given the question raised by Mr. Allen in his request for postponement. In his request Mr. Allen references Case No. 2021-00370¹ and questions why it is necessary to schedule a conference in this proceeding before the hearing scheduled to take place February 25, 2021, in Case No. 2021-00370. Mr. Allen

¹ Case No. 2021-00370, *Electronic Investigation of the Service, Rates and Facilities of Kentucky Power Company* (Ky. PSC Sept. 15, 2021).

alleged the conference in this proceeding has been placed on a “fast track” when compared to the case progression of Case No. 2021-00370.²

KRS 278.020(9) requires the Commission to issue a decision no later than 90 days after an application for a Certificate of Public Convenience and Necessity (CPCN) to construct an electric transmission line is filed unless the Commission extends this period, for good cause, to 120 days. Kentucky Power Company (Kentucky Power) filed its application on November 8, 2021. By Order dated November 17, 2021, the Commission found good cause existed to extend the period of examination of the application to 120 days from the date of filing. The statute governing the processing of Kentucky Power’s application limits the amount of time the Commission may examine and consider applications for electric transmission line projects to a maximum of 120 days from the date the application is filed. Given that Kentucky Power filed its application on November 8, 2021, the Commission must render its decision in this matter on or before March 8, 2022. There is no such statutory deadline determining the processing of Case No. 2021-00370.

IT IS HEREBY ORDERED that:

1. The parties shall appear on February 17, 2022, at 9 a.m. Eastern Standard Time, in the Richard Raff Hearing Room of the Commission’s offices at 211 Sower Boulevard in Frankfort, Kentucky.
2. Previously filed motions to appear at the conference virtually shall not be re-filed if there is no change in the motion other than the date of the conference.

² Request for Postponement at 1-2 (filed Feb. 8, 2022).

3. The February 17, 2022 formal conference shall be recorded by digital video recording only.

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By the Commission

ENTERED
FEB 09 2022 ^{rCS}
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


Executive Director

Case No. 2021-00346

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