

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC INVESTIGATION OF KENTUCKY)	CASE NO.
POWER COMPANY ROCKPORT DEFERRAL)	2022-00283
MECHANISM)	

ORDER

On September 9, 2022, the Commission initiated this investigation pursuant to KRS 278.030, KRS 278.260, and KRS 278.270 to investigate the appropriate amortization and recovery mechanism of Kentucky Power Company's (Kentucky Power) Rockport Unit Power Agreement (UPA) deferral regulatory asset (Rockport Deferral Regulatory Asset) as well a credit for the Rockport Fixed Cost Savings and Rockport Offset.

Pursuant to the procedural schedule included in the Appendix of the September 9, 2022 Order and 807 KAR 5:001, Section 12(b), Commission Staff issued two requests for information to Kentucky Power.¹ The Commission has jurisdiction over all utilities in the Commonwealth.² Contained within that jurisdiction is the ability to investigate the rates and services of utilities.³ For the Commission to make informed decisions regarding rates and services all utilities must respond to Commission Staff's requests for information. Kentucky Power has not been responsive to several requests for information

¹ See Commission Staff's First Request for Information (Ky. PSC Sept. 23, 2022) and Commission Staff's Second Request for Information (Ky. PSC Oct. 12, 2022).

² KRS 278.040.

³ KRS 278.040(2) and KRS 278.250.

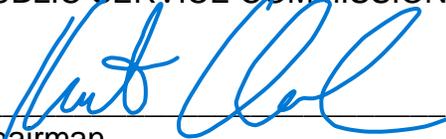
from Commission Staff. The issues in this proceeding are complex and nuanced. The Commission must have a robust and full record to make an informed decision about the issues presented.

The Commission, having been sufficiently advised, finds Kentucky Power should respond to the requests for information found in Appendix A of this Order. The information is due on November 14, 2022. The Commission puts Kentucky Power on notice that further nonresponsive responses to requests for information from Commission Staff shall be considered a willful violation of a Commission order and Kentucky Power may be subject to the penalties in KRS 278.990.

IT IS THEREFORE ORDERED that:

1. Kentucky Power shall fully and completely respond to all parts of the request for information contained in the Appendix to this Order.
2. The responses to the request for information are due November 14, 2022.
3. The Commission shall consider unresponsive or incomplete responses as a willful violation of a Commission order subjecting Kentucky Power, and its officers, to the penalties prescribed in KRS 278.990.

PUBLIC SERVICE COMMISSION


Chairman

Vice Chairman


Commissioner



ATTEST:


Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2022-00283 DATED NOV 07 2022

COMMISSION STAFF'S THIRD REQUEST FOR INFORMATION TO KENTUCKY POWER COMPANY

Kentucky Power Company (Kentucky Power), pursuant to 807 KAR 5:001, is to file with the Commission an electronic version of the following information. The information requested is due on November 14, 2022. The Commission directs Kentucky Power to the Commission's July 22, 2021 Order in Case No. 2020-00085¹ regarding filings with the Commission. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked.

Each response shall include the question to which the response is made and shall include the name of the witness responsible for responding to the questions related to the information provided. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or the 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.

Kentucky Power shall make timely amendment to any prior response if Kentucky Power obtains information that indicates the response was incorrect when made or,

¹ Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC July 22, 2021), Order (in which the Commission ordered that for case filings made on and after March 16, 2020, filers are NOT required to file the original physical copies of the filings required by 807 KAR 5:001, Section 8).

though correct when made, is now incorrect in any material respect. For any request to which Kentucky Power fails or refuses to furnish all or part of the requested information, Kentucky Power shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

Careful attention shall 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. When applicable, the requested information shall be separately provided for total company operations and jurisdictional operations. When filing a paper containing personal information, Kentucky Power shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read.

1. Refer to the Application, BKW-Exhibit 4 and Case No. 2020-00174,² the Commission's January 13, 2021 Order.

a. Provide an itemized estimate of expenses included in Kentucky Power's 2023 per books net income that were removed for ratemaking purposes in Case No. 2020-00174.

2. Refer to the Application, BKW-Exhibit 4 and Case No. 2021-00481,³ the Commission's May 4, 2022 Order, page 9.

² Case No. 2020-00174, *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 Accounting Practices to Establish Regulatory Assets and Liabilities; (4) Approval of a Certificate of Public Convenience and Necessity; and (5) All Other Required Approvals and Relief* (Ky. PSC Jan. 13, 2021).

³ Case No. 2021-00481, *Electronic Joint Application of American Electric Power Company, Inc., Kentucky Power Company and Liberty Utilities Co. for Approval of the Transfer of Ownership and Control of Kentucky Power Company* (Ky. PSC May 4, 2022), Order at 9.

a. Explain whether Kentucky Power's 2023 per books net income will include transition costs related to the transfer to Liberty Utility Co. If not, explain how the transition costs would be excluded.

b. Provide an itemized estimate of the transition costs related to the transfer.

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

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

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

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

*Hector Garcia
Kentucky Power Company
1645 Winchester Avenue
Ashland, KY 41101

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

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

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

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

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

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

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

*Kentucky Power Company
1645 Winchester Avenue
Ashland, KY 41101

*Vanna R. Milligan
Stites & Harbison
421 West Main Street
P. O. Box 634
Frankfort, KENTUCKY 40602-0634