

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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|-------------------------------------|---|------------|
| ELECTRONIC TARIFF FILING OF EAST |) | |
| KENTUCKY POWER COOPERATIVE, INC. TO |) | CASE NO. |
| UPDATE ITS ENVIRONMENTAL SURCHARGE |) | 2024-00048 |
| TARIFF |) | |

ORDER

On January 30, 2024, East Kentucky Power Cooperative, Inc. (EKPC) filed a tariff to revise its Environmental Surcharge tariff to reflect an updated Base Environmental Surcharge Factor (BESF). EKPC proposed an effective date of March 1, 2024.

The proposed updated BESF is the result of summing the sources for the BESF in Case No. 2022-00141¹ and the BESF proposed in Case No. 2023-00177.² The Commission issued its Order in Case No. 2023-00177 on January 11, 2024. Case No. 2022-00141 is still pending before the Commission.

KRS 278.030 provides that a utility may collect fair, just and reasonable rates and that the service it provides must be adequate, efficient and reasonable. Having reviewed the proposed tariff and being otherwise sufficiently advised, the Commission finds that, due to the fact that Case No. 2022-00141 is still pending before the Commission, an

¹ Case No. 2022-00141, *An Electronic Examination by the Public Service Commission of the Environmental Surcharge Mechanism of East Kentucky Power Cooperative, Inc. for the Sixth-Month Expense Periods Ending February 28, 2020m August 31, 2020, February 28, 2021, August 31, 2021, and February 28, 2022, the Two-Year Expense Period Ending August 31, 2021, and the Pass-Through Mechanism of its Sixteen Member Distribution Cooperatives.*

² Case No. 2023-00177, *Electronic Application of East Kentucky Power Cooperative, Inc. for Approval to Amend its Environmental Compliance Plan and Recover Costs Pursuant to its Environmental Surcharge, and for Issuance of Certificates of Public Convenience and Necessity and Other Relief.*

investigation is necessary to determine the reasonableness of the proposed tariff and that such investigation cannot be completed by March 1, 2024. Therefore, pursuant to KRS 278.190(2), the Commission will suspend the effective date of the proposed tariff for one day until March 2, 2024, to give the Commission time to complete its investigation and to allow EKPC to update the tariff pending a final order and subject to refund, provided it provides written notice to the Commission of its intention to do so as required by KRS 278.190(2).

The Commission directs EKPC to the Commission's July 22, 2021 Order in Case No. 2020-00085³ in which the Commission mandated the use of electronic filing procedures listed in 807 KAR 5:001, Section 8. The Commission finds that electronic filing procedures should be used consistent with the filing procedures set forth in Case No. 2020-00085.

The Commission may establish a procedural schedule at a later date if necessary.

IT IS THEREFORE ORDERED that:

1. This proceeding is established to investigate the reasonableness of the proposed tariff.
2. EKPC's proposed tariff is suspended for one day, to March 2, 2024.
3. EKPC's proposed tariff may be placed in effect by EKPC on or after March 2, 2024, pending the final Order in this matter and subject to refund, provided EKPC files written notice to the Commission of its intention to do so as required by KRS 278.190(2).

³ 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).

4. If EKPC files notice of its intention to place the proposed tariff into effect after the end of the suspension period, EKPC shall maintain its records in such manner as will allow it, the Commission, or any customer to determine the amounts to be refunded and to whom in the event a refund is ordered upon final resolution of this matter.

5. EKPC shall, by counsel, enter an appearance in this proceeding within seven days of the date of service of this Order. The entry of appearance shall include the name, address, telephone number, fax number, and electronic mail address of counsel.

6. Unless otherwise ordered by the Commission, the procedures set forth in 807 KAR 5:001, Section 8, related to service and electronic filing of papers shall be followed in this proceeding.

7. Pursuant to 807 KAR 5:001, Section 8(9), within seven days of the date of service of this Order, EKPC shall file by electronic means a written statement that it waives any right to service of Commission Orders by United States mail and that it or its authorized agent possess the facilities to receive electronic submissions.

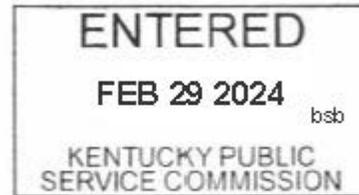
8. The records of Case Nos. 2022-00141 and 2023-00177 shall be incorporated by reference into the record of this proceeding.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner



ATTEST:


Executive Director

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