

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF EAST)	
KENTUCKY POWER COOPERATIVE, INC. FOR)	
APPROVAL OF THE AUTHORITY TO ISSUE UP)	CASE NO.
TO \$450,000,000 OF SECURED OR UNSECURED)	2025-00044
PRIVATE PLACEMENT OR BANK/FINANCIAL)	
INSTITUTION DEBT OBLIGATIONS)	

ORDER

On March 5, 2025, East Kentucky Power Cooperative, Inc. (EKPC) filed an application¹ seeking approval for authority to issue up to \$450,000,000 of secured or unsecured private placement or bank/financial institution debt obligations and a motion requesting a deviation from 807 KAR 5:001, Section 12(1)(a).²

EKPC originally tendered its application on February 25, 2025, along with a motion requesting that the case style be amended.³ The Commission found that the application was deficient, which EKPC cured on March 5, 2025.⁴ In curing the deficiency on March 5, 2025, EKPC provided a financial exhibit that covered the operations for a 12-month period, ending 95 days prior to the date the application was filed, instead of the required

¹ EKPC tendered its application on February 25, 2025. The Commission issued a deficiency letter on February 28, 2025, and that deficiency was subsequently cured on March 5, 2025.

² EKPC's Motion Requesting Deviation (filed Mar. 5, 2025).

³ EKPC originally requested up to \$500,000,000 in private placement debt obligations in its letter of intent and amended the request to include up to \$450,000,000 in its application.

⁴ Deficiency Cured Letter (Mar. 5, 2025).

ninety (90) days. EKPC requested the Commission grant a five-day deviation and argued it was not a material difference.⁵

Commission regulation 807 KAR 5:001, Section 18(2)(a), requires a financial exhibit as described in 807 KAR 5:001, Section 12, in an application for the authority to issue evidences of indebtedness. In addition, 807 KAR 5:001, Section 12(1)(a), requires that the utility file a financial exhibit that “cover[s] operations for a twelve (12) month period, the period ending not more than ninety (90) days prior to the date the application is filed.”

Commission regulation 807 KAR 5:001, Section 22, allows for a deviation if good cause is shown.

The Commission finds that EKPC has shown good cause, and its motion for a five-day deviation should be granted. In this instance, the Commission does not believe that five days at issue here is material to this matter. Additionally, the Commission finds that EKPC’s motion to amend the case style in this case is moot. Prior to a deficiency notice being issued, the case style had been corrected to reflect the correct amount of requested indebtedness.

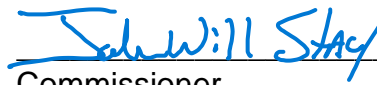
IT IS THEREFORE ORDERED that:

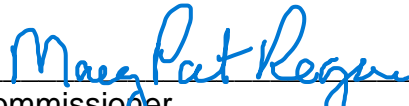
1. EKPC’s motion requesting a deviation is granted, and the application may proceed with the financial exhibit that covers the 12-month period ending November 30, 2024.
2. The motion to amend the case style is denied as moot.

⁵ EKPC’s Motion Requesting Deviation at unnumbered page 2.

PUBLIC SERVICE COMMISSION


Chairman


Commissioner


Commissioner

ATTEST:

 
Executive Director



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