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**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of April 26, 2024***2012-00169**

RECEIVED: 05/03/12

FILED: 05/03/12

FINAL: 12/20/12

REOPENED:

SUSPENSION DATE:

**CASE CODE**

Transfer of Control; KRS 278.218

**UTILITIES:**

East Kentucky Power Cooperative, Inc.

INTERVENORS: AG/Bentley-PJM/Kurtz-

**HEARINGS:**

11/08/12	Formal Hearing
11/07/12	Formal Hearing
10/26/12	Informal Conference
10/19/12	Informal Conference
10/12/12	Informal Conference

**INDEX OF EVENTS:**

08/10/23	Order Entered: 1. EKPC's motion for confidential treatment is granted. 2. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for five years or until further Order of this Commission. 3. Use of the designated material granted confidential treatment by this Order in any Commission proceeding shall comply with 807 KAR 5:001, Section 13(9). 4. EKPC shall inform the Commission if the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment.
07/31/23	POST CASE: East Kentucky Power Cooperative, Inc. Annual Report and Request for Confidential Treatment
08/11/22	Order Entered: 1. EKPC's motion for confidential treatment is granted. 2. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for five years or until further Order of this Commission. 3. Use of the designated material granted confidential treatment by this Order in any Commission proceeding shall comply with 807 KAR 5:001, Section 13(9). 4. EKPC shall inform the Commission if the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment. 5. If a nonparty to this proceeding requests to inspect the material granted confidential treatment by this Order and the period during which the material has been granted confidential treatment has not expired, EKPC shall have 30 days from receipt of written notice of the request to demonstrate that the material still falls within the exclusions from disclosure requirements established in KRS 61.878. If EKPC is unable to make such demonstration, the requested material shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection. 6. The Commission shall not make the requested material available for inspection for 30 days from the date of service of an Order finding that the material no longer qualifies for confidential treatment in order to allow EKPC to seek a remedy afforded by law.
07/29/22	POST CASE: East Kentucky Power Cooperative, Inc. Annual Report and Request for Confidential Protection
04/05/22	POST CASE: East Kentucky Power Cooperative, Inc. Request regarding Annual Report Filing
01/10/22	Order Entered: 1. EKPC's request for confidential treatment for information redacted from its 2020 and 2021 annual reports is granted. 2. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for five years or until further Order of this Commission.
07/30/21	POST CASE: East Kentucky Power Cooperative, Inc. Annual Report and Request for Confidential Protection
12/09/20	POST CASE: East Kentucky Power Cooperative, Inc. Report pursuant to Commission Ordering Paragraphs No. 2 and No. 5
07/31/20	POST CASE: East Kentucky Power Cooperative, Inc. Auction Results pursuant to Commission Order, Paragraphs No. 2 and No. 5
07/31/20	POST CASE: East Kentucky Power Cooperative, Inc. Annual Report and Request for Confidential Treatment

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12/05/19 Final Order Entered: 1. This case is opened to address certain outstanding petitions for confidential treatment. 2. The petitions for confidential treatment listed in Appendix B to this Order are granted. 3. The granting of these petitions shall not be cited as precedent in other proceedings before the Commission. 4. All movants shall review the petitions to determine if the material for which confidential treatment was requested still warrants confidential treatment. 5. A movant shall inform the Commission in writing, and filed in the original case file, if it determines that the information contained in a petition that is granted by this Order no longer warrants confidential treatment. 6. The Commission shall make available for inspection, upon request, any materials that a movant determines no longer warrants confidential treatment. 7. This case is closed and removed from the Commission's docket.

07/31/19 POST CASE: East Kentucky Power Cooperative, Inc. Annual Report and Request for Confidential Treatment

06/05/19 POST CASE: East Kentucky Power Cooperative, Inc. Unredacted Auction Results pursuant to Commission Order, Paragraphs No. 2 and No. 5

05/22/19 POST CASE: East Kentucky Power Cooperative, Inc. Unredacted Annual Report Filing pursuant to Commission Order

04/24/19 Order Entered: 1. EKPC's May 31, 2013 petition for confidential treatment is denied as moot. 2. EKPC's the June 2, 2014, July 31, 2015, and December 9, 2015 petitions for confidential protection are granted. 3. Within 30 days of the date of this Order, EKPC shall file revised pages reflecting as unredacted the designated materials subject to the May 31, 2013 petition that has been denied confidential treatment. 4. The designated materials in the May 31, 2013 petition for which confidential protection was denied shall not be placed in the public record for 30 days following the date of this Order to allow EKPC to seek any remedy afforded by law. 5. The designated materials in the June 2, 2014, July 31, 2015, and December 9, 2015 petitions shall not be placed in the public record or made available for public inspection for five years from the respective dates the petitions were filed, or until further Orders of this Commission. 6. Use of the designated materials in the June 2, 2014, July 31, 2015, and December 9, 2015 petitions in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9). 7. EKPC shall inform the Commission if the designated materials in the June 2, 2014, July 31, 2015, and December 9, 2015 petitions become publicly available or no longer qualify for confidential treatment.

07/27/18 POST CASE: East Kentucky Power Cooperative, Inc. Annual Report and Request for Confidential Treatment

07/31/17 POST CASE: EKPC Annual Report and Request for Confidential Treatment

08/01/16 POST CASE: EKPC Annual Report and Request for Confidential Treatment

12/09/15 POST CASE: EKPC Annual Report and Request for Confidential Treatment

07/31/15 POST CASE: East Kentucky Power Coop. Inc. Annual Report and Request for Confidential Treatment

06/02/14 POST CASE: EKPC Annual Report Regarding Participation in the PJM Interconnection LLC EKPC Request for Confidential Treatment

05/31/13 POST CASE: EKPC Annual Report

05/07/13 POST CASE: EKPC Monthly Status Report

04/08/13 POST CASE: EKPC Monthly Status Report Relating to Integration into the PJM

03/07/13 POST CASE: East Kentucky Power Cooperative Monthly Status Report

02/07/13 POST CASE: EKPC Monthly Status Report Relating to EKPC's Integration into PJM

01/03/13 POST CASE: Gallatin Steel Company Letter of Agreement

01/02/13 POST CASE: KU and LG&E Letter of Agreement to Modification in Stipulation

01/02/13 EKPC Response to Ordering Paragraph 1(a) of December 21, 2012 Order

01/02/13 POST CASE: AG's response to December 20, 2012 Order

12/27/12 POST CASE: PJM Letter Agreeing to Modification

12/21/12 Order Entered: EKPC's request to transfer functional control of its transmission facilities operated at 100 kv and above to PJM is approved subject to the filing, within 10 days of the date of this Order, of: (a) the letter from EKPC's Chief Executive Officer agreeing to file, no later than November 30, 2015, a rate mechanism to flow back to customers the PJM capacity market benefits; and (b) documentation that all parties agree to modify the Stipulation to allow EKPC to withdraw from the TCRSG. 2. The Stipulation, dated November 2, 2012, as modified by the December 5, 2012 filing to extinguish any obligation arising under Article III, is incorporated herein and is conditionally approved subject to the filing of the documentation discussed in Ordering paragraph 1. 3. EKPC shall file within 30 days of the date of this Order any appropriate or needed amendments to existing special contracts or tariffs to reflect that EKPC is authorized to bid any

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customer's interruptible load into the PJM Demand Response program. 4. Any customer on the EKPC system that seeks to participate directly or through a third party in the PJM Demand Response program shall do so under the terms of an EKPC special contract or tariff that has been approved by the Commission. 5. EKPC shall file monthly status reports as described in the findings above until it has fully integrated into PJM or the transaction is terminated. 6. By May 31 of each year, EKPC shall file with the Commission the comprehensive r

12/05/12	Letter addressing issues on the stipulation and recommendations of EKPC
11/19/12	Notice of Filing Hearing Documents
11/16/12	EKPC's Request for Findings by KY PSC
11/09/12	EKPC's Responses to Commission's Information Request from Hearing held November 7, 2012
11/07/12	Joint Parties Stipulation and Recommendation
11/05/12	EKPC Stipulation and Recommendation with Signature Page
11/02/12	OAG's Stipulation and Recommendation with Signature Pages
11/02/12	PJM Interconnection Stipulation and Recommendation with Signature Pages
11/02/12	LGE and KU Stipulation and Recommendation with Signature Pages
11/01/12	EKPC's Proof of Publications
10/29/12	PJM Response to Commission Staff's Request to 110712 Hearing
10/25/12	COMMISSION STAFF'S NOTICE OF INFORMAL CONFERENCE
10/25/12	KU and LGE Response to EKPC's Info Request dtd 101012
10/17/12	COMMISSION STAFF'S NOTICE OF INFORMAL CONFERENCE
10/12/12	EKPC Updated Baseline RTEP Integration Report
10/10/12	East Kentucky Power Cooperative, Inc.'s Information Requests to KU and LG&E
10/03/12	Attorney General's Comments in Lieu of Testimony
10/02/12	Comments of Gallatin Steel Company
10/01/12	Commission Staff's Notice of Informal Conference
10/01/12	LGE and KU Testimonies of Lonnie Bellar and Edwin Staton
09/28/12	Order Entered: (1) The joint motion of EKPC and LG&E/KU for an extension of time until October 1, 2012 for LG&E/KY to file testimony or comments is granted. (2) The motion of the AG for an extension of time to file testimony or comments two days after the filing of testimony of comments by LG&E/KY is granted. (3) The procedural schedule appended to the Commission's September 4, 2012 Order is modified as provided in the Appendix attached hereto which shall be followed in this case.
09/24/12	Joint Motion for Extension of Time
09/21/12	Attorney General's Motion for Extension of Time
09/14/12	Order Entered: 1. A hearing in this matter shall be held on Wednesday, November 7, 2012, at 10:00 a.m. Eastern Standard Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky. 2. East Kentucky Power Cooperative, Inc. shall publish notice of this hearing in compliance with KRS 424.300. 3. The official record of these proceedings shall be by video only. 4. Any request to cancel or postpone this hearing shall be made by motion filed with the Commission at least one week before the hearing is scheduled to commence.
09/10/12	EKPC's Supplemental Response to AG's Request 31 of Initial DR
09/04/12	Order Entered: (1) LG&E and KU's motion to delay the date set forth in the August 7, 2012 Order for filing intervenor testimony or comments is granted. (2) The procedural schedule set forth in the Appendix shall be followed in this case.
08/17/12	Joint Motion to Modify Procedural Schedule
08/15/12	EKPC's Response to 080712 Order
08/07/12	Order Entered: LG&E and KU's motion to revise the procedural schedule is granted. Intervener testimony or comments shall be filed no later than 14 days after East Kentucky files the studies discussed in the findings above. All other dates set forth in the procedural schedule appended to the Commission's June 7, 2012 Order are suspended and shall be reestablished by subsequent Order
08/02/12	EKPC Response to Motion to Modify Procedural Schedule
07/27/12	KU and LG&E's Motion to Modify Procedural Schedule
07/24/12	East Kentucky Power Cooperative, Inc.'s Response to Commission Staff's Second Request for Information dated July 11, 2012
07/24/12	EKPC Response to KU and LGE Data Requests

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07/11/12 COMMISSION STAFF'S SECOND REQUEST FOR INFORMATION TO EAST KENTUCKY POWER COOPERATIVE, INC.

07/11/12 KU and LGE Supplemental DR to EKPC

06/28/12 EKPC Response to KU and LGE 1st Request for Info dtd 061512

06/28/12 EKPC Response to AGs Initial DR dtd 061512

06/28/12 EKPC Response to Commission Staffs 1st Request for Info dtd 061512

06/18/12 Letter Advising that Gallatin Steel will not ask questions in first round of discovery.

06/18/12 EKPC Counsel Notice of Change of Practice Affiliation and Change of Address

06/15/12 Commission Staff's First Information Request to East Kentucky Power Cooperative, Inc.

06/15/12 KU and LG&E's Data Requests to EKPC

06/15/12 Attorney General's Initial Data Requests

06/13/12 Order Entered: (1) The joint petition of LGE and KU to intervene is granted. (2) LGE and KU 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. (3) Should LGE and KU file documents of any kind with the Commission in the course of these proceedings, LGE and KU shall also serve a copy of said documents on all other parties of record.

06/07/12 Order Entered: (1) The procedural schedule set forth in the Appendix to this Order shall be followed in this proceeding. (2) All requests for information and responses shall be appropriately bound, tabbed, and indexed and the original and ten copies shall be filed with the Commission, with copies to all parties of record. (3) Any party filing testimony shall file an original and ten copies with the Commission, with copies to all parties of record. (4) At any public hearing in this matter, neither opening statements nor summarization of direct testimony shall be permitted. (5) Any objections or motions relating to discovery or procedural dates shall be filed upon four business days' notice or the filing party shall explain, in writing, why such notice was not possible. (6) Motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause. (7) Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

06/04/12 Order Entered: (1) The petition of Gallatin to intervene is granted. (2) Gallatin 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. (3) Should Gallatin file documents of any kind with the Commission in the course of these proceedings, Gallatin shall also serve a copy of said documents on all other parties of record.

06/04/12 Order Entered: (1) The motion of PJM to intervene is granted. (2) PJM 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. (3) Should PJM file documents of any kind with the Commission in the course of these proceedings, PJM shall also serve a copy of said documents on all other parties of record.

06/01/12 EKPC's Sur Reply to Petition for Full Intervention filed by LG&E and KU

05/29/12 LG&E and KU's Reply to Response and Objection of EKPC's Petition for Full Intervention

05/22/12 EKPC's Response and Objections to Petition for Full Intervention filed by LG&E and KU

05/18/12 Gallatin Steel's Petition to Intervene

05/17/12 Order Entered: that the motion is granted, and the Attorney General is hereby made a party to these proceedings.

05/15/12 PJM Interconnection, LLC Motion for Full Intervention

05/14/12 No deficiency letter

05/10/12 LG&E and KU's Petition to Intervene

05/04/12 AG's Motion to Intervene

05/03/12 Acknowledge Receipt of Filing

05/03/12 EKPC's Application to Transfer Functional Control of Certain Transmission Facilities to PJM Interconnection, L.L.C.