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**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of June 18, 2026***2012-00224**

RECEIVED: 06/01/12

FILED: 06/01/12

FINAL: 04/01/14

REOPENED:

SUSPENSION DATE:

**CASE CODE**Complaints - Service  
Declaratory Order**UTILITIES:**

Kentucky Power Company

**HEARINGS:**

|          |                     |
|----------|---------------------|
| 08/06/13 | Formal Hearing      |
| 06/26/13 | Teleconference      |
| 05/29/13 | Formal Hearing      |
| 08/30/12 | Informal Conference |

**INDEX OF EVENTS:**

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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| 04/01/14 | Order Entered: The electric-consuming facility located on Lot 14 of Sand Gap Estates Subdivision is located within the certified territory of Kentucky Power, and Kentucky Power should be entitled, pursuant to KRS 278.016, KRS 278.018, and all other applicable law, to exclusively provide retail electric service to that facility. The electric-consuming facility located on Lot 25 of Sand Gap Estates Subdivision is located within the certified territory of Kentucky Power, and Kentucky Power should be entitled, pursuant to KRS 278.016, KRS 278.018, and all other applicable law, to exclusively provide retail electric service to that facility.<br>3. The record is not sufficiently developed with regard to the electric consuming facility located on Lot 18 of Sand Gap Estates Subdivision and the Commission declines to rule on that matter as presented in Grayson's August 5, 2013 filing.<br>4. Kentucky Power's request to have Grayson maintain records during the pendency of this action, and for a reasonable period thereafter, of service rendered on or after February 23, 2011, to the two residences that are the subject of the instant complaint is denied. |
| 09/05/13 | Brief of respondent Grayson RECC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 09/05/13 | Kentucky Power Post Hearing Brief                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 08/26/13 | Grayson RECC responses to PSC staff Aug 6, 13 post Hearing data request                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 08/16/13 | Kentucky Power's responses to the data requests issued during the hearing of August 6, 2013                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 08/08/13 | Notice of Filing Hearing Documents                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 08/05/13 | Grayson RECC Notice of Filing Application for Membership, Service and Right-of-Way Easement Executed by James Hammond                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 07/17/13 | Grayson RECC Response to Commission Staff's Request at the telephonic informal conference for information                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 07/17/13 | Kentucky Power Company's Responses to Supplemental Data Requests Propounded by Commission Staff during the informal conference conducted on June 26, 2013                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 07/10/13 | Memorandum dated 7/10/13 for Telephonic Informal Conference of 7/26/13; responses and status report due 7/10/13.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 06/19/13 | Commission Staff's Notice of Telephonic Informal Conference                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 04/24/13 | Order Entered: The hearing in this matter is rescheduled to Tuesday, August 6, 2013, at 9:00 a.m. Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky. 2. All other provisions in the Order issued March 12, 2013 shall remain in effect.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 03/12/13 | Order Entered:<br>1. A formal hearing in this matter shall be held on May 29, 2013, at 9:00 a.m. Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky.<br>2. Direct examination of witnesses shall be limited to the authentication and adoption of their written testimony.<br>3. Opposing parties may cross-examine witnesses on both direct and rebuttal testimonies.<br>4. No opening statements shall be made at the hearing.<br>5. Copies of all documents served upon any party shall be served on all other parties and filed with the Commission.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

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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. Service of any document or pleading shall be made in accordance with 807 KAR 5:001 , Section 4(8), and Kentucky Civil Rule 5.02.
8. The official record of these proceedings shall be by video only.
9. As the Complainant bears the burden of proof in this matter, its failure to appear at the formal hearing and to present proof in support of its Complaint may result in the dismissal of the Complaint with prejudice.
10. The failure of the Defendant to appear at the formal hearing may result in the entry of an Order granting the Complainant's requested relief.
11. 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 .

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| 02/15/13 | Kentucky Power Company Rebuttal Testimony of Delinda K. Borden and Richard L. Howerton                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 01/23/13 | Verified Testimony of Grayson Recc                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 01/23/13 | Direct Testimony of Delinda Borden and Richard Howerton for KPC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 01/22/13 | Kentucky Power's responses to supplemental data requests                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 01/11/13 | Commission Staff's Second Request for Information to Kentucky Power Company                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 01/10/13 | Kentucky Power's Notice of Filing of the Verification of Lila P. Munsey                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 01/03/13 | Kentucky Power Company's Responses to GRECC's and Commission Staff's Data Requests                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 01/02/13 | Grayson RECC Response to Commissions November 8, 2012 Order                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 01/02/13 | Grayson RECC Response to Commission's Request for Information                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 12/14/12 | Grayson RECC data request to KPC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 12/05/12 | Order Entered: Kentucky Power's motion for an extension of time for the filing of all responses to requests for information issued by Commission Staff, Grayson RECC, or Kentucky Power is extended to January 3, 2013.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 12/03/12 | Kentucky Power Company's Motion for Rehearing of Commission's Order of November 30, 2012                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 11/30/12 | Order Entered:<br>1. Grayson's motion requesting an extension of time to serve Requests for Information upon Kentucky Power is granted. Grayson shall have up to and including December 12, 2012 to serve its initial Requests for Information on Kentucky Power.<br>2. The amended procedural schedule set forth in the Appendix to this Order shall be followed in this proceeding                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 11/28/12 | Kentucky Power Company's Response to Grayson RECC's Motion for Extension of Time to Serve Discovery Requests                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 11/26/12 | Motion of Grayson Recc for and Order extending the time within GRECC must serve data requests upon Kentucky Power                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 11/19/12 | KY Power Data Requests to Grayson RECC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 11/16/12 | Commission Staff's First Request for Information to Kentucky Power Company                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 11/16/12 | Commission Staff's First Request for Information to Grayson Rural Electric Cooperative Corporation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 11/08/12 | Order Entered:<br>1. The procedural schedule set forth in the Appendix to this Order shall be followed in this proceeding.<br>2. a. All requests for information and responses thereto shall be appropriately bound.<br>b. Each response shall be answered under oath.<br>c. A party shall make timely amendment to any prior response if it obtains information which indicates that the response was incorrect when made<br>d. For any request to which a party fails or refuses to furnish all or part of the requested information, that party shall provide a written explanation.<br>3. Any party filing testimony shall file an original and ten copies with the Commission, with copies to all parties of record.<br>4. At any public hearing in this matter, neither opening statements nor summarization of direct testimony shall be permitted.<br>5. Any objections or motions relating to discovery or procedural dates shall be filed within four business days' notice.<br>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.<br>7. As the Complainant bears the burden of proof in this matter, its failure to appear at the formal hearing and to present proof in support of its complaint may result in dismissal of the complaint with prejudice.<br>8. The failure of the Defendant to appear at the formal hearing may result in the entry of an Order |

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granting the Complainant's requested relief.

10/11/12 KY Power's Status Report

09/25/12 Memorandum dated 9/25/2012 for Informal Conference of 8/30/2012; Comments, if any, due within five days of receipt

08/22/12 Order Entered: On July 26, 2012, the Commission issued an Order scheduling an Informal Conference for Thursday, August 30, 2012, at 10130 a.m. Eastern Daylight Time, at the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky. The Order further set out call-in information to be utilized should any party desire to appear telephonically. On its own motion, due to new call-in procedures, the Commission withdraws that portion of the Order which sets out the previously identified call-in information. All provisions of the July 26, 2012 Order that are not in conflict with the terms of this Order shall remain in effect.

07/26/12 Order Entered: that an Informal Conference shall be held on Thursday, August 30, 2012, at 10:30 a.m. Eastern Daylight Time, at the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky. Any party desiring to appear telephonically may join by telephoning (502) 564-9110. When prompted for a Conference Access Code, please enter 5643940.

07/09/12 Order Entered: Grayson's motion is granted.

07/03/12 KY Power's Motion for Informal Conference

07/03/12 KY Power Response to Grayson RECC Motion to File Its Answer Out of Time

07/02/12 Grayson RECC's Motion for Extension

06/12/12 Order Entered: Grayson RECC is hereby ordered to satisfy the matters complained of or file a written answer to the complaint within ten days of the date of service of this Order.

06/04/12 Acknowledge Receipt of Filing

06/01/12 Kentucky Power Company's Petition and Complaint for a Declaration of Its Exclusive Right Pursuant to KRS 278.018(1) to Serve Those Portions of the Sand Gap Estates in Greenup County, Kentucky Lying Within Its Certified Territory in Lieu of Grayson RECC

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Total Number of Cases: 1