DOC11R

Case Management System - KY Public Service Commission

Regular Cases Before the Commission as of November 16, 2026

2013-00291 RECEIVED: 07/05/13 FILED: 07/05/13 FINAL: 07/06/15 REOPENED: SUSPENSION DATE:

CASE NATURE: Harold Barker, Ann Barker and Brooks Barker, Complainants; East Kentucky Power Cooperative, Inc., Defendant

CASE CODE
Complaints - Service

HEARINGS:

07/08/14	Formal Hearing
07/01/14	Formal Hearing
02/05/14	Informal Conference

INDEX OF EVENTS:

07/06/15	Order Entered: EKPC's Motion to Strike is granted. 2. The following portions of Complainants' post-hearing brief are stricken from the record: a. On page 7, under the heading "Definitions as they Relate to Transmission Lines," the discussion regarding expert definitions for certain statutory terms; b. On pages 24-25, the discussion regarding SERC and payment of "penalties" for self-reported reliability issues; c. On pages 26-27, the discussion regarding human resistance to micro shocks; and d. The Legislative Research Commission minutes attached thereto. 3. Complainants' motion to compel is denied. 4. Complainants' request for EKPC to relocate the 345/138-kV transmission line is denied. 5. A separate action shall be commenced for the purposes of requiring EKPC to show cause why it should not be subject to penalties pursuant to KRS 278.990 for violation of KRS 278.020(2). 6. This proceeding shall be closed and removed from the Commission's docket.
06/22/15	East Kentucky Power Coop., Inc. Response
06/16/15	Complainant Motion to Compel
12/09/14	Complainants request for load data
12/09/14	Complainants counteroffer
09/15/14	Reply in support of motion to strike of East Kentucky Power
09/09/14	Order Entered: that Complainants motion for an extension of time is granted. Complainants shall submit their response to EKPC's motion to strike no later than September 9, 2014.
09/09/14	Barkers response to motion to strike filed by EKPC
09/03/14	Motion for extension of time to file response of Harold Barker Ann, Harold Barker, Brooks Barker
08/28/14	Motion to strike of East Kentucky Power Coop
08/15/14	Harold, Ann, & Brooks Barker v. EKPC Complainants' Post-Hearing Brief
08/15/14	EKPC Brief of EKPC, Inc.
07/24/14	Order Entered: 1. Complainants and EKPC shall submit post-hearing briefs no later than August 15, 2014. 2. Post-hearing briefs shall include discussion, with supporting legal authority, on the possible range of remedies available to the Commission in adjudicating this matter, including the available remedies in the event a CPCN were to be required for the project. 3. Post-hearing briefs shall include a report on the status of any settlement negotiations held since July 29, 2013.
07/16/14	Notice of Filing Hearing Documents
07/02/14	Gabor Mezei"s verification of filing supplement to East Kentucky Power Coop response to complainants initial request
06/27/14	Order Entered: Complainants' Motion for a Continuance is denied. 2. The hearing in this matter shall be held at the Commission's offices as

	previously scheduled on Tuesday, July 1, 2014, at 10:00 a.m. Eastern Daylight Time, for the examination of all witnesses with the exception of Dr. David Carpenter. 3. At the conclusion of the examination of all other witnesses, the July 1, 2014 hearing in this matter shall recess and continue on Tuesday, July 8, 2014, at 10:00 a.m. Eastern Daylight Time, for the cross-examination of Dr. David Carpenter. 4. All other provisions of the Commission's April 7, 2014 Order, not in conflict with this Order, shall remain in full force and effect.
06/25/14	EKPC Verification of Dr. Benjamin Cotts
06/23/14	EKPC's Responses to Complainants First Data Request
06/17/14	East Kentucky Power Cooperative, Inc.'s Response to Motion for Continuance
06/16/14	Harold Ann & Brooks Barker Motion to Continue Hearing Date
06/12/14	Complainants information requests to East Kentucky Power Coop, Inc.
06/04/14	Direct testimony of Kenneth R. Foster, Ph.D. on Behalf of East Kentucky Power Cooperative, Inc.
06/03/14	Order Entered: that Defendant's request to make the site visit report a part of this record is granted.
06/02/14	EKPC Direct Testimony
06/02/14	Harold, Ann, and Brooks Barker Request for Copy of Records
05/27/14	EKPC Request for Guidance
05/12/14	Harold Barker, Ann Barker, and Brooks Barker Response to EKPC Data Requests
05/01/14	EKPC Data Requests to Complainants
04/25/14	Harold Barker, Ann Barker, and Brooks Barker Direct Testimony of Witnesses
04/07/14	Order Entered: 1. EKPC's motion to dismiss Complainants' complaint is granted in part. Complainant's request for unliquidated damages is dismissed as a matter of law. 2. EKPC's motion to dismiss Complainant's complaint is denied in part. EKPC's motion to dismiss Complainant's claims that a CPCN was required pursuant to KRS 278.020(2), and that the upgrade has caused health and safety issues is denied. 3. The procedural schedule set forth in the Appendix to this Order shall be followed. 4. Any party that files written testimony shall file with the Commission an original and eight copies. Written testimony shall be in verified form. 5. Any party filing a document or pleading with the Commission shall also serve such document or pleading upon all other parties to this proceeding. 6. At any hearing in this matter, neither opening statements nor summarization of direct or rebuttal testimony shall be permitted. 7. Direct examination of witnesses shall be limited to the authentication and adoption of that written testimony. No summarization of written testimony by the witness shall be permitted. 8. Witnesses who have filed written, direct, and rebuttal testimony shall present that testimony at the same sitting. Opposing parties may cross-examine such witnesses on both direct and rebuttal testimonies. 9. 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.
02/26/14	East Kentucky Power Cooperative's Reply in Support of Motion to Dismiss
02/19/14	Harold Barker, Ann Barker, and Brooks Barker's Response to Motion to Dismiss of East Kentucky Power Cooperative, Inc.
02/13/14	Harold Barker, Ann Barker and Brooks Barker Request for Information Regarding Adjustment of Easement
02/10/14	East Kentucky Power Cooperative Inc. Comment to the Informal Conference Memorandum
02/06/14	Memorandum dated 2/6/14 for Informal Conference of 2/5/14; Comments, if any, due 2/13/14.
12/03/13	COMMISSION STAFF'S NOTICE OF INFORMAL CONFERENCE
11/21/13	East Kentucky Power Cooperative's Responses to PSC Staff's Initial Request for Information
11/21/13	Harold Barker, Ann Barker and Brooks Barker's Response to PSC Staff's Initial Request for Information
11/07/13	Commission Staff's Initial Request for Information to Harold Barker, Ann Barker and Brooks Barker
11/07/13	Commission Staff's Initial Request for Information to East Kentucky Power Cooperative, Inc.
10/10/13	East Kentucky Power's answer and Motion to Dismiss
09/26/13	Order Entered: EKPC shall file its Answer to the complaint within 14 days of this Order.
09/16/13	Harold Barker and Ann Barker and Brooks Barker response to East Kentucky Power Coop offer of settlement
08/30/13	Order Entered: that Complainants shall file a response to the Offer of Settlement within 14 days of the date of this Order.

DOC11R **Case Management System - KY Public Service Commission**

Regular Cases Before the Commission as of November 16, 2026

	Should documents of any kind be filed with the Commission in the course of this proceeding, the documents shall also be served on all parties of record.
07/29/13	East Kentucky Power Cooperative Inc Offer of Settlement
07/18/13	Order Entered: EKPC 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. Should documents of any kind be filed with the Commission in the course of this proceeding, the documents shall also be served on all parties of record.
07/15/13	Acknowledge Receipt of Filing
07/12/13	Harold Barker, Ann Barker & Brooks Barker v. East Kentucky Power Cooperative, Inc.

Total Number of Cases: 1