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**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of November 23, 2024***2014-00051**

RECEIVED: 03/06/14

FILED: 03/06/14

FINAL: 10/12/15

REOPENED: 09/02/15

SUSPENSION DATE:

**CASE CODE**

Surcharge - Environmental

**UTILITIES:**

East Kentucky Power Cooperative, Inc.

**HEARINGS:**

12/16/14 Formal Hearing  
 12/05/14 Teleconference  
 09/04/14 Informal Conference  
 06/18/14 Informal Conference

**INDEX OF EVENTS:**

10/12/15 Order Entered: 1. Farmers RECC's and Owen Electric's request to amortize their over-recoveries over a 12-month period is granted for this review proceeding. 2. Farmers RECC shall refund a total amount of \$604,892 to its customers through its monthly pass-through mechanism by decreasing its environmental surcharge revenue requirement by \$50,408 in each of the first 12 months following the Commission's order issued August 25, 2015. 3. Owen Electric shall refund a total amount of \$1,754,800 to its customers through its monthly pass-through mechanism by decreasing its environmental surcharge revenue requirement by \$146,233 in each of the first 12 months following the Commission's Order issued August 25, 2015. 4. All other provisions of the Commission's August 25, 2015 Order not in conflict with this Order shall remain in full force and effect.

10/02/15 Order Entered: Farmers RECC's and Owen Electric's petition for rehearing is granted for the purposes of further consideration.

09/14/15 Farmers RECC and Owen Electric Coop. Inc. Joint Motion for Rehearing on Order

09/02/15 Order Entered: EKPC's request for rehearing is granted.  
 2. EKPC's motion for confidential treatment of the customer and substation names in its response to Staff's Third Request, Item 5.b., is granted. The materials granted confidential protection will not be placed in the public record or made available for public inspection for a period of ten years from the date of this Order, or upon further Orders of this Commission.  
 3. EKPC's original redaction of customer and substation names complies with the terms of this Order.  
 4. Use of the materials in question in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).  
 5. EKPC shall inform the Commission if the materials granted confidential protection become publicly available or no longer qualify for confidential treatment.  
 6. If a non-party to this proceeding requests to inspect materials granted confidential treatment by this Order and the period during which the materials have been granted confidential treatment has not run, EKPC shall have 20 days from receipt of written notice of the request to demonstrate that the materials still fall within the exclusions from disclosure requirements established in KRS 61.878. If EKPC is unable to make such demonstration, the requested materials shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

08/25/15 Final Order Entered: 1. The amounts billed by EKPC through its environmental surcharge for the period July 1, 2013, to December 31, 2013, are approved. 2. EKPC shall use a rate of return of 6.063 percent in all monthly environmental surcharge filings subsequent to the date of this Order. 3. EKPC's Member Cooperatives shall include the applicable monthly retail pass-through adjustments, shown in the Appendix to this Order, in the determination of each Member Cooperative's respective pass-through mechanism in each of the first six months following the date of this Order, as discussed herein. 4. EKPC's Member Cooperatives' request to alter their retail pass-through mechanism's over/under calculations is denied. 5. EKPC's Member Cooperatives' request to use the "since inception" method to calculate their over/under amount for this review is denied. 6. Shelby Energy's proposal to transition to a single environmental surcharge factor in a revenue month is approved.

08/25/15 POST CASE: East Kentucky Power Coop. Inc. Request for Clarification

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08/05/15 Order Entered: 1 . EKPC's Petition for Confidential Protection is granted in part and denied in part. 2. The customer and substation usage information contained in EKPC's Response to Staff's Third Request, Item 5.b. , meets the criteria for confidential protection as set forth in KRS 61.878(1 )(c)(1 ) , and confidential protection is granted to such information. The materials granted confidential protection will not be placed in the public record or made available for public inspection for a period of ten years from the date of this Order, or upon further Orders of this Commission. 3. Use of the materials in question in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9). 4. EKPC shall inform the Commission if the materials granted confidential protection become publicly available or no longer qualify for confidential treatment. 5. If a non-party to this proceeding requests to inspect materials granted confidential treatment by this Order and the period during which the materials have been granted confidential treatment has not run, EKPC shall have 20 days from receipt of written notice of the request to demonstrate that the materials still fall within the exclusions from disclosure requirements established in KRS 61.878. If EKPC is unable to make such demonstration, the requested materials shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

01/13/15 South Kentucky RECC Brief

01/12/15 Clark Energy Coop. Response to Post Hearing Request for Information

01/12/15 Cumberland Valley Electric Response to Post Hearing Request for Information

01/09/15 Shelby Energy Coop Response to Post Hearing Request for Information

01/08/15 Jackson Energy Cooperative Response to Post Hearing Request for Information

01/07/15 Licking Valley RECC Response to Post Hearing Request for Information

01/07/15 Salt River Electric Coop Corp Response to Post Hearing Request for Information

01/07/15 Owen Electric Coop Inc. Response to Post Hearing Request for Information

01/07/15 Inter-County Energy Coop Corp Response to Post Hearing Request for Information

01/07/15 Fleming Mason Energy Coop Response to Post Hearing Request for Information

01/07/15 Eastern Kentucky Power Coop Inc. Response to Request No. 12 of Post Hearing Request for Information

01/07/15 Grayson RECC Response to Post Hearing Request for Information

01/07/15 East Kentucky Power Coop Response to Post Hearing Request for Information Regarding Environmental Surcharge Mechanism

01/07/15 South Kentucky RECC Response to Post Hearing Request for Information

01/07/15 Big Sandy RECC Response to Post Hearing Request for Information

01/06/15 Nolin RECC response to Order of Dec 24, 14

01/05/15 Blue Grass Energy Response to Post-Hearing Information Request

01/05/15 Taylor County RECC Responses

12/24/14 COMMISSION STAFF'S POST-HEARING REQUEST FOR INFORMATION TO EAST KENTUCKY POWER COOPERATIVE, INC. AND EACH OF ITS SIXTEEN MEMBER DISTRIBUTION COOPERATIVES

12/24/14 IT IS THEREFORE ORDERED that EKPC and any Cooperative may file its post hearing brief no later than January 13, 2015.

12/19/14 Notice of Filing Hearing Documents

12/11/14 Shelby Energy revised response

12/10/14 Affidavit of mailing of Hearing notice

12/10/14 Nolin RECC affidavit of mailing of Hearing Notice

12/10/14 Fleming Mason Energy affidavit of publication of Hearing notice

12/10/14 Grayson RECC affidavit of mailing of Hearing notice

12/10/14 Big Sandy RECC affidavit of mailing of Hearing Notice

12/09/14 Memorandum dated 12/09/2014 for Informal Conference of 12/05/2014; Comments, if any, due within five days of receipt of letter

12/09/14 South Kentucky RECC Affidavit of Mailing of Hearing Notice

12/09/14 South Kentucky RECC Revised Responses to Fourth Data Request

12/09/14 Shelby Energy affidavit of mailing of hearing notice

12/08/14 Inter County affidavit of mailing of Hearing Notice

12/08/14 Cumberland Valley Electric Affidavit of Mailing of Hearing Notice

12/08/14 Licking Valley Affidavit of mailing of hearing notice

12/08/14 Owen Electric Cooperative Corporation Affidavit of Mailing of Hearing Notice

12/08/14 Farmers RECC Affidavit of Mailing of Hearing Notice

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12/08/14 Salt River RECC affidavit of Mailing of hearing notice  
 12/08/14 Farmers RECC Revised Response to Staff's Fourth Request for Information  
 12/08/14 Jackson Energy Cooperative Affidavit of Mailing of Hearing Notice  
 12/05/14 Blue Grass Energy Affidavit of Mailing of Hearing Notice  
 12/04/14 Affidavit of publication of Taylor County RECC  
 12/02/14 COMMISSION STAFF'S NOTICE OF CONFERENCE CALL  
 10/31/14 Licking Valley Response to PSC fourth request for info  
 10/30/14 South Kentucky RECC Response to Commission Staff's Fourth Request for Information  
 10/30/14 Owen Electric Cooperative Response to Staff's Fourth Request for Information  
 10/29/14 Taylor County Response to PSC fourth request for info  
 10/29/14 Shelby Energy response to PSC fourth request for info  
 10/28/14 Jackson Energy Response to PSC fourth data request  
 10/28/14 Fleming Mason Response to PSC fourth request for info  
 10/28/14 Clark Energy Response to PSC fourth request for info  
 10/27/14 Inter County Energy Response to PSC staff fourth request for info  
 10/27/14 Salt River Electric response to PSC fourth request for info  
 10/27/14 Blue Grass Energy Cooperative, Inc. Response to Staff Fourth Request for Information  
 10/24/14 Cumberland Valley Electric response to PSC fourth request for info  
 10/22/14 Response of Grayson RECC to the fourth request for info served by the PSC staff  
 10/22/14 Farmers RECC response to PSC staff fourth request for info  
 10/20/14 Big Sandy RECC Response to Commission Staff's Fourth Request for Information  
 10/17/14 Nolin RECC Response to Staff Fourth Data Request  
 10/14/14 Commission Staff's Fourth Request for Information to East Kentucky Power Cooperative Inc.'s Sixteen Member Distribution Cooperatives  
 10/01/14 Licking Valley response to info request at IC on Sept 4, 14  
 10/01/14 Grayson RECC response to info request at IC on Sept 4, 14  
 09/30/14 Owen Electric response to info requested at IC on Sept 4, 2014  
 09/30/14 Inter County response to info requested at IC on Sept 4, 2014  
 09/30/14 Blue Grass Energy Cooperative Supplemental Filing in Response to IC Request  
 09/30/14 Nolin RECC response to info request at IC on Sept 4, 2014  
 09/30/14 Jackson Energy Cooperative Supplemental Filing in Response to IC Discussions  
 09/30/14 South Kentucky response to info request at IC on Sept 4, 2014  
 09/30/14 Fleming Mason Energy response to info Request at IC on Sept 4, 2014  
 09/29/14 Shelby Energy Cooperative Supplemental Filing in Response to IC Discussions  
 09/29/14 Big Sandy response to request for info at the IC on Sept 4, 14  
 09/29/14 Clark Energy Response to info request at IC on Sept 4, 14  
 09/29/14 Cumberland Valley response to request for info at the IC on Sept 4, 14  
 09/29/14 Salt River response to info request at IC on Sept 4 2014  
 09/26/14 Farmers RECC response to info requested at the Sept 4, 14 IC  
 09/26/14 Taylor County RECC response to info at IC on Sept 4, 14  
 09/22/14 Order Entered: EKPC's motion to modify the Commission's August 19, 2014 Order is granted.  
 2. Notice from EKPC to its member cooperatives of the December 16, 2014 hearing shall not be required.  
 3. The 16 member cooperatives may provide notice of the December 16, 2014 hearing through newspaper publication, trade publication or individual mailing. Notice timing and content shall comply with 807 KAR 5:001, Section 9.  
 4. The procedural schedule set forth in the Appendix to this Order, which is attached hereto and incorporated herein, shall be followed.  
 5. All other provisions of the August 19, 2014 Order not in conflict with this Order shall remain in full force and effect.  
 09/11/14 Memorandum dated 9/11/2014 for Informal Conference of 9/04/2014; Comments, if any, due within five days of receipt  
 09/11/14 EKPC Motion to Modify Order  
 08/22/14 EKPC Motion for Confidential Treatment  
 EKPC Response to PSC Staffs Third Request for Information  
 08/22/14 Inter-County Energy Response to PSC Staffs Third Request for Information  
 08/22/14 Salt River Electric Response to PSC Staffs Third Request for Information

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08/22/14 Nolin RECC Response to PSC Staffs Third Request for Information  
08/22/14 Jackson Energy Response to PSC Staffs Third Request for Information  
08/22/14 Nolin RECC Response to PSC Staffs Third Request for Information  
08/22/14 Owen Electric Response to PSC Staffs Third Request for Information  
08/22/14 Clark Energy Response to PSC Staffs Third Request for Information  
08/22/14 South KY RECC Response to PSC Staffs Third Request for Information  
08/21/14 Shelby Energy Cooperative, Inc.'s Response to Commission Staff's Third Request for Information  
08/21/14 Taylor County RECC Response to PSC Staffs Third Request for Information  
08/21/14 Big Sandy RECC Response to PSC Staffs Third Request for Information  
08/21/14 Fleming-Mason Energy's Response to Commission Staff's Third Request for Information  
08/21/14 Cumberland Valley Electric Response to PSC Staff's Third Request for Information  
08/21/14 Licking Valley RECC Response to PSC Staffs Third Request for Information  
08/21/14 Farmers RECC Response to PSC Staffs Third Request for Information  
08/20/14 Blue Grass Energy Response to PSC Staffs Third Data Request  
08/19/14 Order Entered: EKPC's motion for an informal conference and a formal hearing is granted.  
2. EKPC's motion for an extension of time to respond to Commission Staff's Third Request for Information is granted.  
3. Item numbers 8, 10, 11, and 12 to Staff's Third Request shall be amended as set forth in Appendix A to this Order.  
4. The procedural schedule set forth in Appendix B to this Order, attached hereto and incorporated herein, shall be followed.  
5. EKPC and its member cooperatives shall give notice of the hearing in accordance with the provisions set out in 807 KAR 5:001 Section 9.

08/13/14 EKPC Motion for an Extension of Time  
08/07/14 COMMISSION STAFF'S THIRD REQUEST FOR INFORMATION TO EAST KENTUCKY POWER COOPERATIVE INC.'S SIXTEEN MEMBER DISTRIBUTION COOPERATIVES

07/14/14 Fleming Mason response to PSC staff second request for info  
07/14/14 Owen Electric response to PSC second request for info  
07/11/14 Grayson RECC response to PSC staff Request  
07/11/14 South Kentucky RECC Response to Commission Staff's Second Request for Information  
07/11/14 Jackson Energy response to PSC staff second request for info  
07/11/14 Inter-County Energy Cooperative Corporation Responses to Commission Staff's Second Request for Information

07/11/14 Licking Valley Response to PSC staff request  
07/10/14 Big Sandy Electric response Data Request of July 1, 14  
07/10/14 Salt River response Data Request of July 1, 14  
07/10/14 Cumberland Valley Electric response Data Request of July 1, 14  
07/10/14 Taylor County RECC response Data Request of July 1, 14  
07/09/14 Farmers RECC Response to Second Data Request  
07/09/14 Nolin RECC's Responses to Staff's Second Request for Information  
07/09/14 Shelby Energy's Response to PSC's Second Request for Information  
07/09/14 Clark Energy Cooperative, Inc. Responses to Commission Staff's Second Request for Information  
07/09/14 Blue Grass Energy's Response to PSC Second Data Request  
07/01/14 COMMISSION STAFF'S SECOND REQUEST FOR INFORMATION TO EAST KENTUCKY POWER COOPERATIVE INC.'S SIXTEEN MEMBER DISTRIBUTION COOPERATIVES

06/30/14 South KY RECC Response to PSC Staff's Request for Information  
06/30/14 Jackson Energy Cooperative Responses to Information Requested at Informal Conference  
06/30/14 EKPC Motion for an Informal Conference and to Establish Hearing Date and Supplemental Testimony of Isaac Scott

06/27/14 Big Sandy RECC Responses to Information Requested at Informal Conference  
06/27/14 Cumberland Valley Electric Responses to Information Requested at Informal Conference  
06/27/14 Taylor County RECC Additional and Revised Exhibits as Requested  
06/27/14 Licking Valley RECC Responses to Information Requested at Informal Conference  
06/26/14 Shelby Energy's Response to Commission's request for information  
06/26/14 Blue Grass Energy Response to IC data request

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06/26/14 Clark Energy Cooperative, Inc. Responses to Information Requested at Informal Conference  
 06/26/14 Fleming-Mason Energy Cooperative, Inc. Responses to Information Requested at Informal Conference  
 06/26/14 InterCounty Energy Response to info request of PSC staff  
 06/25/14 Memorandum dated 6/25/2014 for Informal Conference of 6/18/2014; Comments, if any, due within five days of receipt of letter  
 06/25/14 Owen Electric's response to the Commission's request for information  
 06/25/14 Grayson RECC Response to Inquiries Made During June 18, 2014 Informal Conference  
 06/25/14 Farmers RECC Responses to Inquiries Made During June 18, 2014 Informal Conference  
 06/24/14 Nolin RECC Additional and Revised Exhibits  
 06/24/14 Salt River's Responses to Commission Staff's Request for Information dated June 18, 2014  
 06/10/14 Order Entered: (1) EKPC's motion is granted. (2) An informal conference shall be held on Wednesday, June 18, 2014, at 10:00 a.m. Eastern Daylight Time, in Conference Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky, for the purpose of discussing the issues in this case.  
 06/10/14 Nolin Recc corrected filing of their original filing  
 05/30/14 EKPC Motion for Informal Conference  
 04/04/14 EKPC Response to PSC Staffs First Information Request  
 04/04/14 Cumberland Valley Electric Response to PSC Staff's Request for Information  
 04/04/14 Grayson RECC Response to PSC Staffs Request for Information  
 04/04/14 South Kentucky RECC Response to Commission Staff's Initial Request for Information  
 04/04/14 Jackson Energy Cooperative's Response to Commission Staff's Initial Request for Information  
 04/04/14 Owen Electric Response to PSC Staff's Request for Information  
 04/03/14 Farmers RECC Response to PSC Staff Request for Information  
 04/03/14 Licking Valley RECC Response to PSC Staff's Request for Information  
 04/03/14 Inter-County Energy Response to PSC Staffs Request for Information  
 04/03/14 Taylor County RECC Response to PSC Staffs Request for Information  
 04/02/14 Shelby Energy Cooperative Response to Commission Staff's first request for information  
 04/01/14 Salt River Electric's Responses to PSC Staff's Request for Information dated 03-06-2014  
 03/31/14 Big Sandy RECC Response to PSC Staff's Request for Information  
 03/31/14 Fleming-Mason Energy Cooperative's Response to Staff's First Request for Information dated March 6, 2014  
 03/31/14 Clark Energy Cooperative Response to PSC Order dated March 6, 2014  
 03/31/14 Nolin RECC's Responses to PSC Staff's Request for Information dated March 6, 2014  
 03/27/14 Blue Grass Energy's Response to PSC Staff's First Request for Information  
 03/06/14 Order Entered: (1) EKPC and each of its Member Cooperatives listed in footnote 2 shall be parties to this case. (2) The procedural schedule set forth in Appendix A shall be followed in this proceeding. (3) EKPC shall, by the date set forth in Appendix A, file its prepared direct testimony in support of the reasonableness of the application of its environmental surcharge mechanism and the application of the pass-through mechanism during the periods under review. (4) Any party filing testimony shall file an original and seven copies. (5) a. EKPC and each of its 16 Member Cooperatives shall file responses to the questions asked of the particular cooperative in Appendix B. The information requested herein is due by the date set forth in Appendix A. (6) Within seven days of the Commission's granting intervention to a party, EKPC shall provide the party with a copy of its monthly environmental surcharge reports as filed with the Commission for the review period. (7) EKPC's monthly environmental surcharge reports and supporting data for the review period are hereby incorporated by reference into the record of this case. (8) The Commission does not look favorably upon motions for continuance. Accordingly, 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. (9) Nothing contained herein shall prevent the Commission from entering further Orders in this matter.