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Case Management System - KY Public Service Commission

Regular Cases Before the Commission as of November 03, 2026

2021-00103

RECEIVED: 04/01/21 FILED: 04/06/21 FINAL: 05/25/22 REOPENED: 05/11/22
SUSPENSION DATE: 10/05/21

CASE CODE
General Rates
Depreciation Methodology
Other

UTILITIES:
East Kentucky Power Cooperative, Inc.

HEARINGS:

08/05/21	Formal Hearing
08/04/21	Formal Hearing
08/03/21	Formal Hearing
07/28/21	Public Meeting
07/27/21	Public Meeting

INDEX OF EVENTS:

04/30/26	POST CASE: Jacob Watson Annual Earnings Mechanism Report 2025
04/30/26	POST CASE: Jacob Watson Annual Generation Maintenance Tracker Report
04/30/24	POST CASE: Chris Adams East Kentucky Power Cooperative, Inc. Annual Generation Maintenance Tracker Report – Case No. 2021-00103
04/28/23	POST CASE: Chris Adams East Kentucky Power Cooperative, Inc. Information required to be filed by East Kentucky Power Cooperative regarding the generation maintenance tracker established in Case No. 2021-00103.
05/25/22	Order Entered: 1. This case is reopened for the limited purpose of addressing EKPC's motion. 2. EKPC's motion to revise the annual filing date for the PJM report is granted. 3. Ordering paragraph 10 of the September 30, 2021 Order is stricken and replaced with the following: EKPC's request to be relieved of reporting requirements established in Case No. 2012-00169 is denied. EKPC's reporting requirement its PJM membership is modified as set forth above. Beginning in 2022, EKPC shall file a report by July 31 each year identifying benefits and costs that accrue from its PJM membership and comparing them to benefits and costs if EKPC left PJM. 4. All other provisions of the September 30, 2021 Order not in conflict with this Order remain in full force and effect. 5. This case is closed and removed from the Commission's docket.
05/11/22	David S. Samford East Kentucky Power Cooperative, Inc. Motion to Reopen Docket For Limited Purpose of Changing Due Date of Annual PJM Report
04/20/22	POST CASE: Chris Adams In accordance with the Order in Case No. 2021-00103, this report details East Kentucky Power Cooperative Inc.s ("EKPC") 2021 financial results with respect to the earnings mechanism.
10/08/21	POST CASE: Patrick C. Woods East Kentucky Power Cooperative, Inc. EKPCs Response to Paragraph 14 of Order dated 09-10-2021
09/30/21	Final Order Entered: 1. The rates and charges proposed by EKPC are denied. 2. The provisions in the Settlement, as set forth in Appendix A to this Order, are approved subject to the adjustments approved in this Order. 3. The rates and charges for EKPC, as set forth in Appendix B to this Order, are fair, just and reasonable rates for EKPC, and are approved for service rendered on and after October 1, 2021. 4. EKPC is authorized to amortize the Smith 1, Dale ES Projects 5 and 10, Dale Asbestos ARO, and Spurlock Maintenance regulatory assets as set forth in this Order. 5. EKPC is authorized to establish a Generation Maintenance Tracker as outlined in the Settlement, but, as a term of the establishment of the tracker, EKPC shall establish a separate regulatory asset account to record the annual entries. The Commission reserves the right to review the generation maintenance expenses that are eligible for this mechanism upon such time that EKPC requests to amortize the regulatory asset or regulatory liability in its next base rate case. 6. The earnings mechanism outlined in the Settlement is approved as filed. EKPC shall file its first annual filing no later than April 30. The Commission will initiate a proceeding at that time to review the reasonableness and determine a reasonable frequency for

	a bill credit and how the bill credits will be applied to customer accounts.
09/10/21	Order Entered: 1. EKPC's May 28, 2021 motion for confidential treatment is granted in part and denied in part. 2. EKPC's May 28, 2021 request for confidential treatment for its responses to Staff's Second Request, Item 31 (b); Attorney General/Nucor's First Request, Items 7, 16, 36(b), 39(b), and 72(c); Nucor's First Request, Items 1, 7(c), and 10; and AppHarvest's First Request, Item 1(e)(1) is granted. 3. EKPC's May 28, 2021 request for confidential treatment for its response to Staff's Second Request, Item 42(a), is denied. 4. EKPC's June 16, 2021 motion for confidential treatment is granted. 5. EKPC's June 28, 2021 motion for confidential treatment is granted. 6. EKPC's August 18, 2021 motion for confidential treatment is granted. 7. The designated material in the May 28, 2021 and June 16, 2021 motions granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for an indefinite period or until further Order of this Commission. 8. The designated material in the June 28, 2021 and August 18, 2021 motions granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for ten years or until further Order of this Commission. 9. 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).
09/01/21	Patrick C. Woods East Kentucky Power EKPCs Response to Post-Hearing DR2 dated 08-25-2021
08/25/21	M Todd Osterloh AppHarvest Morehead Farm, LLC Brief in Support of Settlement
08/25/21	COMMISSION STAFF'S SECOND POST-HEARING REQUEST FOR INFORMATION TO EAST KENTUCKY POWER COOPERATIVE, INC.
08/24/21	Notice of Filing Hearing Documents - August 4, 2021
08/24/21	Notice of Filing Hearing Documents - August 3, 2021
08/24/21	J. Michael West Office of the Attorney General Post-Hearing Brief of OAG and Nucor
08/23/21	David S. Samford East Kentucky Power Cooperative, Inc. East Kentucky Power Cooperative, Inc.s Brief
08/18/21	Patrick C. Woods East Kentucky Power Cooperative, Inc. EKPCs Responses to Staffs Post-Hearing Requests dated 08-18-2021
08/18/21	Patrick C. Woods East Kentucky Power Cooperative, Inc. Response to PSC DR1 39c (Final Monthly Update)
08/05/21	COMMISSION STAFF'S POST-HEARING REQUEST FOR INFORMATION TO EAST KENTUCKY POWER COOPERATIVE, INC.
08/04/21	Order Entered: 1. Post-hearing data requests, if any, shall be filed on or before August 6, 2021. 2. Responses to post-hearing data requests shall be filed on or before August 18, 2021. 3. Counsel for the respective parties shall file a memorandum brief on or before August 25, 2021 4. This case shall stand submitted for a decision by the Commission effective 12:01 a.m., August 26, 2021.
08/02/21	Order Entered: 1. AppHarvest Morehead's motion is granted in part and denied in part. 2. AppHarvest Morehead's motion to permit Ms. Kelly to testify virtually at the August 3–5, 2021 hearing is granted. 3. AppHarvest Morehead's motion to excuse Ms. Kelly from testifying at the August 3–5, 2021 hearing is denied. 4. Commission Staff will contact counsel for AppHarvest Morehead to provide instructions for Ms. Kelly's participation at the hearing by videoconference.
08/01/21	James W. Gardner AppHarvest Morehead Farm, LLC Motion to Excuse Witness or Testify Virtually
07/30/21	Order Entered: 1. Nucor's motion for Ms. Waddell to testify by videoconference at the August 3–5, 2021 hearing is granted. 2. Commission Staff will contact Nucor to provide instructions for Ms. Waddell's participation at the hearing by videoconference.
07/29/21	Patrick C. Woods East Kentucky Power Joint Stipulation and Settlement Agreement dated 07-29-2021
07/29/21	Michael L Kurtz Nucor Steel Gallatin MOTION FOR PERMISSION TO TESTIFY VIRTUALLY BY NUCOR STEEL GALLATIN, LLC
07/29/21	Order Entered: 1. Nucor's motion for Mr. Baron to testify by videoconference at the August 3–5, 2021 hearing is granted. 2. Commission Staff will contact Nucor to provide instructions for Mr. Baron's participation at the hearing by videoconference.
07/28/21	Patrick C. Woods East Kentucky Power Cooperative, Inc. Proof of Hearing Notice Publication
07/28/21	Patrick C. Woods East Kentucky Power Cooperative, Inc. Rebuttal testimony and Excel Spreadsheet
07/27/21	Patrick C. Woods East Kentucky Power Cooperative, Inc. Rebuttal Testimony
07/26/21	Michael L Kurtz Nucor Steel Gallatin NUCOR STEEL GALLATIN's MOTION FOR PERMISSION TO TESTIFY VIRTUALLY

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07/23/21	M. Todd Osterloh AppHarvest Morehead Farm, LLC AppHarvest Morehead Farm, LLCs Responses to Commission Staffs Requests for Information No. 1
07/23/21	M. Todd Osterloh AppHarvest Morehead Farm, LLC AppHarvest Morehead Farm, LLCs Responses to Requests for Information Nos. 1-17 by East Kentucky Power Cooperative, Inc.
07/20/21	Patrick C. Woods East Kentucky Power Cooperative, Inc. EKPCs monthly update to PSC Requests
07/19/21	J. Michael West Office of the Attorney General OAG and Nucor Updated Response to First DRs of EKPC
07/19/21	Michael L. Kurtz Nucor Steel Gallatin RESPONSES OF NUCOR STEEL GALLATIN TO EAST KENTUCKY POWER COOPERATIVE, INC's INITIAL DATA REQUESTS and COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION
07/15/21	J. Michael West Office of the Attorney General OAG and Nucor Response to EKPC DRs
07/15/21	J. Michael West Office of the Attorney General Responses to Data Requests of PSC Staff
07/15/21	Patrick C. Woods East Kentucky Power EKPCs Data Request to AppHarvest dated July 15, 2021.
07/13/21	COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO NUCOR STEEL GALLATIN
07/12/21	Patrick C. Woods East Kentucky Power Cooperative, Inc. First Request For Information to Nucor
07/12/21	Patrick C. Woods East Kentucky Power Cooperative, Inc. First Request for Information
07/12/21	COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO APPHARVEST MOREHEAD FARM, LLC
07/12/21	COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO THE ATTORNEY GENERAL
07/08/21	Order Entered: 1. EKPC's motion for an in person hearing is granted. 2. East Kentucky Power Cooperative, Inc. (EKPC) shall give notice of the hearing in compliance with 807 KAR 5:001, Section 9(2)(b). In addition, the notice of hearing shall include the following statements: "This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov"; and "Public comments may be made at the beginning of the hearing. Those wishing to make oral public comments may do so by following the instructions listed on the PSC website, psc.ky.gov." At the time the notice is mailed or publication is requested, EKPC shall forward a duplicate of the notice and request to the Commission.
07/06/21	David S. Samford East Kentucky Power Cooperative, Inc. Motion for In-Person Hearing
07/06/21	Michael L. Kurtz Nucor Steel Gallatin Nucor Steel Gallatins Corrected Direct Testimony of Cathy Waddell
07/01/21	M. Todd Osterloh AppHarvest Morehead Farm, LLC Direct Testimony of Suedeen G. Kelly
06/29/21	Michael L. Kurtz Nucor Steel Gallatin NUCOR STEEL GALLATIN's DIRECT TESTIMONY AND EXHIBITS of STEPHEN J. BARON, BARRY J. KORNSTEIN and CATHY WADDELL
06/29/21	J. Michael West Office of the Attorney General Testimony of Lane Kollen
06/28/21	Patrick C. Woods East Kentucky Power Cooperative, Inc. EKPCs Responses to AppHarvest - DR2 dated 06-16-2021
06/28/21	Patrick C. Woods East Kentucky Power Cooperative, Inc. Response to PSC DR3 Request #2 - Appendix 2 pages 82-118
06/28/21	Patrick C. Woods East Kentucky Power Cooperative, Inc. Response to PSC DR3 Request #2 - Appendix 2 pages 41-81
06/28/21	Patrick C. Woods East Kentucky Power Cooperative, Inc. Appendix 2 of Response #2 to DR3 of the PSC dated 06-28-2021
06/28/21	Patrick C. Woods East Kentucky Power Cooperative, Inc. EKPCs responses to PSC-DR3 dated June 15, 2021
06/18/21	David S. Samford East Kentucky Power Cooperative, Inc. Corrected Response to AG/Nucor Supplemental Information Requests
06/17/21	Patrick C. Woods East Kentucky Power Cooperative, Inc EKPCs Monthly Updates to PSC DR1-39c and PSC DR2 -15 16
06/16/21	M. Todd Osterloh AppHarvest Morehead Farm, LLC AppHarvest Morehead Farm, LLCs Supplemental Request for Information to East Kentucky Power Cooperative, LLC
06/16/21	Patick C. Woods East Kentucky Power Cooperative, Inc. Motion for Confidential Treatment dated 06-16-2021
06/16/21	Patick C. Woods East Kentucky Power Cooperative, Inc. EKPCs Response to Nucors DR2 dated June 4, 2016
06/16/21	Patick C. Woods East Kentucky Power Cooperative, Inc. EKPCs Responses to AG Nucor DR2 dated June 4, 2021
06/15/21	COMMISSION STAFF'S THIRD REQUEST FOR INFORMATION TO EAST KENTUCKY POWER COOOPERATIVE, INC.

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06/04/21	J. Michael West Office of the Attorney General OAG and Nucors Supplemental Data Requests
06/04/21	Michael L. Kurtz Nucor Steel Gallatin Nucor Steel Gallatins Supplemental Set of Data Requests to East Kentucky Power Cooperative
06/04/21	Patick C. Woods East Kentucky Power Cooperative, Inc. Notice of filing corrected confidential information.
05/28/21	Patick C. Woods East Kentucky Power Cooperative, Inc. EKPCs Responses to AppHarvest DR1 dated 05-14-2021
05/28/21	Patick C. Woods East Kentucky Power Coopertive, Inc. EKPCs Responses to Nucor DR1 dated 05-14-2021
05/28/21	Patick C. Woods East Kentucky Power Coopertive, Inc. EKPCs Excel Supporting Documents to AG-Nucor DR1 dated 05-14-2021
05/28/21	Patick C. Woods East Kentucky Power Coopertive, Inc. EKPCs Response to AG-Nicor DR1 #40 dated 05-14-2021
05/28/21	Patick C. Woods EKPCs Responses to AG-Nucor DR1 dated 05-14-2021
05/28/21	Patick C. Woods East Kentucky Power Coopertive, Inc. EKPCs Reponses to PSC DR2 dated 05-12-2021
05/24/21	Order Entered: EKPC's motion for rehearing is denied.
05/20/21	Patrick C. Woods East Kentucky Power Cooperative, Inc EKPC response to PSC DR1 #39c and corrections to Application Exhibits 6 and 7
05/17/21	David S. Samford East Kentucky Power Cooperative, Inc. Reply in Support of Motion for Rehearing
05/17/21	Order Entered: 1. EKPC's motions for confidential treatment are 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 ten 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.
05/14/21	M Todd Osterloh AppHarvest Morehead Farm, LLC AppHarvest Morehead Request for Information to EKPC
05/14/21	M Todd Osterloh AppHarvest Morehead Farm, LLC Response to EKPC Motion for Rehearing
05/14/21	Michael Kurtz Nucor Steel Gallatin NUCOR STEEL GALLATIN's FIRST SET OF DATA REQUESTS TO EAST KENTUCKY POWER COOPERATIVE, INC.
05/14/21	J. Michael West Office of the Attorney General First Set of Data Requests to EKPC
05/12/21	COMMISSION STAFF'S SECOND REQUEST FOR INFORMATION TO EAST KENTUCKY POWER COOPERATIVE, INC.
05/10/21	David S. Samford EKPC Proof of mailing customer notice
05/07/21	David S. Samford East Kentucky Power Cooperative, Inc. Motion for Rehearing (Corrected to Include Exhibit 1)
05/07/21	David S. Samford East Kentucky Power Cooperative, Inc. Motion for Rehearing
04/30/21	M Todd Osterloh AppHarvest Morehead Farm, LLC Response to Commissions Order Dated April 27, 2021
04/29/21	Order Entered: 1. A hearing in this matter shall be held on Tuesday, August 3, 2021, at 9 a.m. Eastern Daylight Time, and continued on Wednesday, August 4, 2021, and Thursday, August 5, 2021. Commission Staff will contact participants by electronic mail to provide details for joining the hearing if it is held by video link. 2. The Commission reserves the right to schedule an in person hearing. 3. East Kentucky Power Cooperative, Inc. (EKPC) shall give notice of the hearing in compliance with 807 KAR 5:001, Section 9(2)(b). In addition, the notice of hearing shall include the following statements: "This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov"; and "Public comments may be made at the beginning of the hearing. Those wishing to make oral public comments may do so by following the instructions listed on the PSC website, psc.ky.gov." At the time the notice is mailed or publication is requested, EKPC shall forward a duplicate of the notice and request to the Commission.
04/27/21	Order Entered: 1. The motion of AppHarvest to intervene is granted. 2. AppHarvest 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. AppHarvest shall comply with all provisions of the Commission's regulations, 807 KAR 5:001, Section 8, related to the service and electronic filing of documents. 4. AppHarvest shall adhere to the procedural schedule set forth in the Commission's April 13, 2021 Order and as amended by subsequent Orders. 5. Pursuant to 807 KAR 5:001, Section

	8(9), within seven days of entry of this Order, AppHarvest shall file a written statement with the Commission that: a. Certifies that it, or its agent, possesses the facilities to receive electronic transmissions; and b. Sets forth the electronic mail address to which all electronic notices and messages related to this proceeding should be served.
04/23/21	M Todd Osterloh AppHarvest Morehead Farm, LLC Motion to Intervene
04/20/21	J. Michael West Office of the Attorney General Notice of Expert Witness Expense Sharing
04/16/21	Order Entered: Nucor and the Attorney General's joint motion to amend the procedural schedule is denied.
04/16/21	Order Entered: Nucor and the Attorney General shall file a copy of their agreement regarding their joint participation in this matter with the Commission within seven days of entering into the agreement.
04/15/21	Patrick C. Woods East Kentucky Power Excel Spreadsheets to PSC DR1 dated 03-04-2021 as filed 04-15-2021
04/15/21	Patrick C. Woods East Kentucky Power Excel Spreadsheets to PSC DR1 dated 03-04-2021 as filed 04-15-2021
04/15/21	Patrick C. Woods East Kentucky Power Excel Spreadsheets for PSC DR1 dated 03-04-2021 as filed 04-15-2021
04/15/21	Patrick C. Woods East Kentucky Power EKPCs responses to Staffs Request for Information dated 03-04-2021.
04/14/21	Michael L. Kurtz Attorney General and Nucor Steel Gallatin Joint Motion to Amend Procedural Schedule of the Attorney General and Nucor Steel Gallatin
04/13/21	Order Entered: 1. EKPC's proposed rates are suspended for five months, up to and including October 5, 2021. 2. The procedural schedule set forth in the Appendix to this Order shall be followed. 3. a. Responses to requests for information in paper medium shall be appropriately bound, tabbed and indexed, with the original and an electronic version to the Commission. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked. Each response shall include the name of the witness responsible for responding to the questions related to the information provided. b. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or an association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.
04/07/21	Deficiency cured letter
04/06/21	David S. Samford East Kentucky Power Cooperative, Inc. Notice of Filing of Supplemental Customer Notice
04/05/21	Deficiency letter, information due 04/26/2021
04/01/21	David S. Samford East Kentucky Power Cooperative, Inc. Application and Motion for Confidential Treatment
03/25/21	Michael L. Kurtz Nucor Steel Gallatin Written Statement of Nucor Steel Gallatin
03/24/21	Order Entered: 1. The motion of Nucor to intervene is granted. 2. Nucor 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. Nucor shall comply with all provisions of the Commission's regulations, 807 KAR 5:001, Section 8, related to the service and electronic filing of documents. 4. Pursuant to 807 KAR 5:001, Section 8(9), within seven days of entry of this Order, Nucor shall file a written statement with the Commission
03/16/21	Michael L. Kurtz Nucor Steel Gallatin Nucor Steel Gallatins Motion to Intervene
03/05/21	Order Entered: 1. The motion of the Attorney General to intervene is granted. 2. The Attorney General 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. The Attorney General shall comply with all provisions of the Commission's regulations, 807 KAR 5:001, Section 8, related to the service and electronic filing of documents. 4. Pursuant to 807 KAR 5:001, Section 8(9), within seven days of entry of this Order, the Attorney General shall file a written statement with the Commission that: a. Certifies that it, or its agent, possesses the facilities to receive electronic transmissions; and b. Sets forth the electronic mail address to which all electronic notices and messages related to this proceeding should be served.

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03/04/21	COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO EAST KENTUCKY POWER COOPERATIVE, INC.
03/01/21	J. Michael West Office of the Attorney General OAGs Motion to Intervene
02/26/21	David S. Samford East Kentucky Power Cooperative, Inc. Notice of Intent
02/25/21	Acknowledge Receipt of Filing
02/25/21	East Kentucky Power Cooperative, Inc. Notice of Intent to File an Application for a General Adjustment of Rates, Approval of Depreciation Study, Amortization of Certain Regulatory Assets, and Other General Relief Using Electronic Filing Procedures

Total Number of Cases: 1