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# Case Management System - KY Public Service Commission

*Regular Cases Before the Commission as of November 08, 2026*

## 2021-00109

RECEIVED: 04/01/21 FILED: 04/01/21 FINAL: 09/30/21 REOPENED:
SUSPENSION DATE: 10/05/21

**CASE CODE**
Rates - Flow-Thru

**UTILITIES:**
Fleming-Mason Energy Cooperative, Inc.

**INDEX OF EVENTS:**

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| 09/30/21 | Final Order Entered: 1. The rates and charges proposed by Fleming-Mason Energy are denied. 2. The approach proposed by Fleming-Mason Energy to allocate its portion of the increase in wholesale rates authorized in Case No. 2021-00103 is accepted. 3. The rates and charges in Appendix B, attached hereto, are fair, just and reasonable for Fleming-Mason Energy to charge for service rendered on and after October 1, 2021. 4. Within 20 days of the date of this Order, Fleming-Mason Energy shall file with the Commission, using the Commission's electronic Tariff Filing System, its revised tariffs as set forth in this Order reflecting that they were approved pursuant to this Order. 5. This case is closed and removed from this Commission's docket. |
| 09/22/21 | Order Entered: 1. Fleming-Mason Energy's June 23, 2021 motion for confidential treatment is granted. 2. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for an indefinite period 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. Fleming-Mason Energy shall inform the Commission if the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment. |
| 09/17/21 | David S. Samford Fleming-Mason Energy Cooperative, Inc. Responses to Staffs Data Requests |
| 09/10/21 | COMMISSION STAFF'S THIRD REQUEST FOR INFORMATION TO FLEMING-MASON ENERGY COOPERATIVE, INC. |
| 09/01/21 | James W. Gardner AppHarvest Morehead Farm, LLC Brief |
| 09/01/21 | L. Allyson Honaker Fleming-Mason Energy Cooperative, Inc. Brief |
| 08/13/21 | Order Entered: 1. Fleming-Mason Energy and AppHarvest Morehead's joint motion to file briefs in lieu of a hearing is granted. 2. Fleming-Mason Energy and AppHarvest Morehead shall file their respective briefs simultaneously on or before September 1, 2021. |
| 08/09/21 | M Todd Osterloh AppHarvest Morehead Farm, LLC Joint Motion to Allow the Filing of Briefs by September 1, 2021 In Lieu of a Hearing. |
| 07/30/21 | L. Allyson Honaker Fleming-Mason Energy Cooperative, Inc. Notice of Filing and Workpapers |
| 07/27/21 | David S. Samford Fleming-Mason Energy Cooperative, Inc. Rebuttal Testimony of John Wolfram |
| 07/23/21 | M. Todd Osterloh AppHarvest Morehead Farm, LLC AppHarvest Morehead Farm, LLCs Responses to Commission Staffs Request for Information No.s 1-5 |
| 07/23/21 | M. Todd Osterloh AppHarvest Morehead Farm, LLC AppHarvest Morehead Farm, LLCs Responses to Requests for Information Nos. 1-20 by Fleming-Mason Energy Cooperative, Inc. |
| 07/15/21 | David S. Samford Fleming-Mason Energy Cooperative, Inc. Information Requests to AppHarvest Morehead Farms, LLC |
| 07/13/21 | COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO APPHARVEST MOREHEAD FARM, LLC |
| 07/01/21 | M. Todd Osterloh AppHarvest Morehead Farm, LLC Direct Testimony of Suedeen G. Kelly - FMEC |
| 06/23/21 | David S. Samford Fleming-Mason Energy Cooperative, Inc. Fleming-Mason Response to Supplemental Information Requests from AppHarvest Morehead Farm, LLC |
| 06/23/21 | David S. Samford Fleming-Mason Energy Cooperative, Inc. Response to Staffs Second Information Request and Motion for Confidential Treatment |
| 06/16/21 | M. Todd Osterloh AppHarvest Morehead Farm, LLC AppHarvest Morehead Farm, LLCs Supplemental Requests for Information to Fleming-Mason Energy Cooperative, Inc. |
| 06/15/21 | COMMISSION STAFF'S SECOND REQUEST FOR INFORMATION TO FLEMING-MASON ENERGY COOPERATIVE, INC. |
| 05/26/21 | David S. Samford Fleming-Mason Energy Cooperative, Inc. Response to AppHarvest Morehead Farm, LLCs Initial Information Requests |

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| 05/26/21 | David S. Samford Fleming-Mason Energy Cooperative, Inc. Response to Staffs Initial Information Requests |
| 05/24/21 | Order Entered: 1. The motion of AppHarvest Morehead to intervene is granted. 2. AppHarvest Morehead 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. |
| 05/14/21 | M Todd Osterloh Sturgill, Turner, Barker Moloney AppHarvest Request for Information to Fleming-Mason |
| 05/14/21 | M Todd Osterloh AppHarvest Morehead Farm, LLC Reply in Support of AppHarvest Motion to Intervene |
| 05/12/21 | COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO FLEMING-MASON ENERGY COOPERATIVE, INC. |
| 05/10/21 | David S. Samford Fleming-Mason Energy Cooperative, Inc. Proof of publication of customer notice |
| 05/07/21 | David S. Samford Fleming-Mason Energy Cooperative, Inc. Response to Motion for Leave to Intervene of AppHarvest Morehead, LLC |
| 04/30/21 | M Todd Osterloh AppHarvest Morehead Farm, LLC Motion to Intervene |
| 04/15/21 | Order Entered: 1. Fleming-Mason Energy'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. |
| 04/01/21 | David S. Samford Fleming-Mason Energy Cooperative, Inc. Application |
| 02/26/21 | David S. Samford Fleming-Mason Energy Cooperative, Inc. Notice of Intent |
| 02/25/21 | Acknowledge Receipt of Filing |
| 02/25/21 | Fleming-Mason Energy Cooperative, Inc. Notice of Intent to File an Application for Pass-Through of East Kentucky Power Cooperative, Inc. Wholesale Rate Adjustment Using Electronic Filing Procedures |

Total Number of Cases: 1