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Case Management System - KY Public Service Commission*Regular Cases Before the Commission as of May 26, 2026***2024-00129**

RECEIVED: 04/26/24

FILED: 04/26/24

FINAL: 12/26/24

REOPENED:

SUSPENSION DATE:

CASE CODEFinancing
Construct**UTILITIES:**

East Kentucky Power Cooperative, Inc.

HEARINGS:

10/29/24 Formal Hearing

INDEX OF EVENTS:

- 05/21/26 POST CASE: Heather Temple East Kentucky Power Cooperative Inc. Phase I ESA filed pursuant to Commissions May 19, 2026 Order
- 05/19/26 Order Entered: 1. EKPC's October 25, 2024 motion for confidential treatment is denied. 2. The designated material denied confidential treatment by this Order is not exempt from public disclosure and shall be placed in the public record and made available for public inspection. 3. If EKPC objects to the Commission's determination that the requested material not be granted confidential treatment, it must seek either rehearing pursuant to KRS 278.400 or judicial review of this Order pursuant to KRS 278.410. Failure to exercise either of these statutory rights will be deemed as agreement with the Commission's determination of which materials should be granted confidential treatment. 4. Within 20 days of the date of service of this Order, EKPC shall file a revised version of the designated material for which confidential treatment was denied, reflecting as unredacted the information that has been denied confidential treatment. 5. The designated material for which EKPC's request for confidential treatment has been denied shall neither be placed in the public record nor made available for inspection for 30 days from the date of service of this Order in order to allow EKPC to seek a remedy afforded by law.
- 04/24/26 POST CASE: L. Allyson Honaker East Kentucky Power Cooperative, Inc. Response to Public Comment
- 01/07/25 POST CASE: L. Allyson Honaker East Kentucky Power Cooperative, Inc. Notice of Withdrawal of Counsel
- 12/26/24 Final Order Entered: 1. EKPC's application for CPCNs for the two proposed construction projects is granted. 2. EKPC shall notify the Commission within 10 days of gaining knowledge of any material changes to the project, including, but not limited to, a material increase in costs, including EKPC having reason to believe it would not receive any portion of the 40 percent expected investment tax credits, and any significant delays in construction. 3. Any material deviation from the construction approved by this Order shall be undertaken only with the prior approval of the Commission. 4. EKPC shall file with the Commission documentation of the total costs of the projects, including the cost of construction and all other capitalized costs, (e.g. engineering, legal, administrative, etc.) within 60 days of the date that construction authorized under these CPCNs is substantially completed. Construction costs shall be classified into appropriate plant accounts in accordance with the Uniform System of Accounts for sewer utilities as prescribed by the Commission. 5. EKPC shall file a copy of the "as-built" drawings, if any, and a certified statement that the construction has been satisfactorily completed in accordance with the plans and specifications within 60 days of the substantial completion of the construction certificated herein.
- 12/06/24 L. Allyson Honaker East Kentucky Power, Inc. Response Brief
- 12/06/24 Dennis G. Howard II Lexington-Fayette Urban County Government Lexington-Fayette Urban County Government's Response Brief
- 12/06/24 Matthew R. Malone Fayette Alliance, Inc. Fayette Alliances Responsive Post-Hearing Brief
- 12/04/24 Brittany Hayes Koenig East Kentucky Power Cooperative Inc. Supplemental Response to Commission Staffs First Request for Information dated May 30, 2024
- 12/03/24 Response E-Mail to Abigale
- 11/27/24 L. Allyson Honaker East Kentucky Power, Inc. Post-Hearing Brief
- 11/27/24 Dennis G. Howard II Lexington-Fayette Urban County Government Lexington-Fayette Urban County Government's Post Hearing Brief

Case Management System - KY Public Service Commission

Regular Cases Before the Commission as of May 26, 2026

11/27/24 Matthew R. Malone Fayette Alliance, Inc. Fayette Alliances Initial Post-Hearing Brief
 11/25/24 Order Entered: LFUCG's November 15, 2024 motion to supplement the record is denied.
 11/25/24 Response E-Mail to Multiple Public Comments
 11/25/24 Jason Justice Public Comment
 11/21/24 Brittany Hayes Koenig East Kentucky Power Cooperative Inc. Supplemental Responses
 11/21/24 Brittany Hayes Koenig East Kentucky Power Cooperative Inc. Response and Objection to Motion to Supplement
 11/18/24 PSC Notice of Filing Hearing Documents - October 29, 2024
 11/17/24 Brittany Hayes Koenig East Kentucky Power Cooperative Inc. Redacted Responses
 11/15/24 Dennis G. Howard II Lexington-Fayette Urban County Government Lexington-Fayette Urban County Government's Motion to Supplement Record
 11/15/24 Greg Cecil East Kentucky Power Cooperative, Inc. Post Hearing Data Response
 11/01/24 COMMISSION STAFF'S POST-HEARING REQUEST FOR INFORMATION TO EAST KENTUCKY POWER COOPERATIVE, INC.
 10/30/24 Response E-Mail to Multiple Public Comments
 10/29/24 Brittany Hayes Koenig East Kentucky Power Cooperative Inc. Corrected Supplemental Filing
 10/29/24 Multiple Public Comments
 10/28/24 Brittany Hayes Koenig East Kentucky Power Cooperative, Inc. Response 8a to LFUCGs Supplemental Request for Information dated July 3, 2024
 10/28/24 Response E-Mail to Multiple Public Comments
 10/25/24 Brittany Hayes Koenig East Kentucky Power Cooperative, Inc. Supplemental Response to LFUCGs Second Request 21a
 10/25/24 Brittany Hayes Koenig East Kentucky Power Cooperative Inc. Proof of Publication
 10/22/24 Brittany Hayes Koenig East Kentucky Power Cooperative Inc. Notice of Request for Publication
 10/22/24 Brittany Hayes Koenig East Kentucky Power Cooperative Inc. Witness List
 10/18/24 Order Entered: 1. EKPC's April 26, 2024 motion for confidential treatment is granted. 2. EKPC's June 12, 2024 motion for confidential treatment is granted in part and denied in part. Confidential treatment is granted for EKPC's response to LFUCG's First Request, Item 37(b) and financial terms found in the documents provided in response to LFUCG's First Request, Items 43 and 46. Confidential treatment is denied for the remainder of EKPC's response to LFUCG's First Request, Items 43 and 46. 3. 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. 4. 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). 5. If the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment, EKPC shall inform the Commission and file with the Commission an unredacted copy of the designated material.
 09/25/24 Response E-Mail to Multiple Public Comments
 09/10/24 Response E-Mail to Multiple Comments
 09/10/24 Order Entered: 1. A hearing in this matter shall be held on October 29, 2024, at 9 a.m. Eastern Daylight Time and continuing until called from the bench by the presiding officer, in the Richard Raff Hearing Room at the offices of the Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky. 2. Pursuant to 807 KAR 5:001, Section 2, if the hearing is not concluded on the designated day, the hearing may be continued upon verbal announcement by the presiding officer. A verbal announcement made by the presiding officer shall be proper notice of the continued hearing. 3. Witnesses who sponsor schedules, testimony, or responses to requests for information shall participate in person at the hearing. If any witnesses will be substituted for witnesses who sponsored schedules, testimony, or responses to requests for information, parties shall file into the record the identity of the substituted witnesses and the schedules, testimony, or responses to requests for information they will sponsor on or before October 22, 2024. 4. East Kentucky Power Cooperative, Inc. (EKPC) shall file a witness list at least seven days prior to the hearing date. 5. 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."
 08/28/24 Response E-Mail to Tita Arnold
 08/27/24 Dennis G. Howard II Lexington-Fayette Urban County Government Lexington-Fayette Urban County Governments Notice of Withdrawal of Counsel and Change of Certification of Electronic Service
 08/16/24 Dennis G. Howard II Lexington-Fayette Urban County Government and Fayette Alliance, Inc. Lexington-Fayette Urban County Government and Fayette Alliance, Inc's Motion for Hearing

DOC11R

Case Management System - KY Public Service Commission*Regular Cases Before the Commission as of May 26, 2026*

08/16/24 Greg Cecil East Kentucky Power Cooperative, Inc. East Kentucky Power Cooperative, Inc's responses to Commission Staffs Third Request for Information and Motion to Submit.

08/13/24 Response E-Mail to Bluegrass Land Conservancy

07/31/24 COMMISSION STAFF'S THIRD REQUEST FOR INFORMATION TO EAST KENTUCKY POWER COOPERATIVE, INC.

07/31/24 Response E-Mail to Multiple Comments

07/19/24 Greg Cecil East Kentucky Power Cooperative, Inc. East Kentucky Power Cooperative, Inc. (EKPC) has submitted its responses to Lexington-Fayette Urban County Government's (LFUCG) Supplemental Request for Information in the case concerning the construction of solar facilities in Marion and Fayette Counties.

07/19/24 Greg Cecil East Kentucky Power Cooperative, Inc. East Kentucky Power Cooperative, Inc. (EKPC) has submitted its responses to Fayette Alliances Supplemental Requests for Information in the case concerning the construction of solar facilities in Marion and Fayette Counties.

07/19/24 Greg Cecil East Kentucky Power Cooperative, Inc. East Kentucky Power Cooperative, Inc. (EKPC) has submitted its responses to the Commission Staff's Second Request for Information in the case regarding the construction of solar facilities in Marion and Fayette Counties.

07/17/24 Response E-Mail to Max Puchalsky

07/17/24 Response E-Mail to Lauren Reese

07/11/24 Response E-Mail to Multiple Comments

07/09/24 Response E-Mail to Multiple Comments

07/05/24 Matthew Malone Fayette Alliance, Inc. Supplemental Data Requests

07/03/24 COMMISSION STAFF'S SECOND REQUEST FOR INFORMATION TO EAST KENTUCKY POWER COOPERATIVE, INC.

07/03/24 Dennis G. Howard II Lexington-Fayette Urban County Government Lexington-Fayette Urban County Government Supplemental Requests for Information

06/25/24 Response E-Mail to Mark W. Russell

06/24/24 Response E-Mail to Multiple Comments

06/21/24 Response E-Mail to Multiple Comments

06/18/24 Chris Adams East Kentucky Power Cooperative, Inc. East Kentucky Power Cooperative, Inc. Responses to Fayette Alliance Initial Information Request

06/17/24 Order Entered: 1. The Commission's May 14, 2024 Procedural Schedule is amended to permit EKPC to respond to Fayette Alliance's first data requests on or before June 18, 2024. 2. All other terms of the Commission's May 14, 2024 Procedural Schedule, not in conflict with this Order, remain in effect.

06/12/24 Chris Adams East Kentucky Power Cooperative EKPC Responses to LFUCG

06/12/24 Chris Adams East Kentucky Power Cooperative EKPC Responses to Staff DR1

06/11/24 Matthew Malone Fayette Alliance, Inc. Post-Intervention Statement

06/07/24 Heather Temple East Kentucky Power Cooperative Inc. Joint Motion to Amend Procedural Schedule for Responses to Fayette Alliance

06/06/24 Order Entered: 1. Fayette Alliance's motion to intervene is granted. 2. Fayette Alliance is 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. Fayette Alliance's motion for leave to submit data requests upon EKPC is granted. 4. Fayette Alliance 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. 5. Fayette Alliance shall adhere to the procedural schedule set forth in the Commission's May 14, 2024 Order and as amended by subsequent Orders. 6. Pursuant to 807 KAR 5:001, Section 8(9), within seven days of service of this Order, Fayette Alliance 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 shall be served.

06/04/24 Order Entered nunc pro tunc, that: 1. The following is stricken: "The information requested is due on June 5, 2024." and is replaced with the following language: "The information requested is due on or before June 12, 2024." 2. All other provisions of the Commission's May 30, 2024 Order that are not in conflict with the terms of this Order shall remain in effect. 3. Given that the May 30, 2024 Order is hereby amended nunc pro tunc, EKPC's motion for clarification is denied as moot.

05/31/24 Matthew Malone Fayette Alliance, Inc. Motion for Leave to File Data Requests and Data Requests

05/31/24 Dennis G. Howard II Lexington-Fayette Urban County Government Lexington-Fayette County Urban Government's Initial Requests for Information

05/31/24 Response E-Mail to Michael Chambers

DOC11R

Case Management System - KY Public Service Commission*Regular Cases Before the Commission as of May 26, 2026*

05/30/24 Dennis G. Howard II Lexington-Fayette Urban County Government Lexington-Fayette County Government's Certification

05/30/24 L. Allyson Honaker East Kentucky Power, Inc. Motion to Clarify Date Responses are Due

05/30/24 COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO EAST KENTUCKY POWER COOPERATIVE, INC.

05/28/24 Order Entered: 1. LFUCG's petition to intervene is granted. 2. LFUCG is 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. LFUCG 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. LFUCG shall adhere to the procedural schedule set forth in the Commission's May 14, 2024, Order and as amended by subsequent Orders. 5. Pursuant to 807 KAR 5:001, Section 8(9), within seven days of service of this Order, LFUCG 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 shall be served.

05/22/24 Matthew Malone Fayette Alliance, Inc. Motion to Intervene

05/22/24 Dennis G. Howard II Lexington-Fayette Urban County Government Lexington-Fayette Urban County Government Motion to Intervene

05/14/24 Order Entered: 1. EKPC's application for approval of the proposed evidence of indebtedness is continued beyond the 60-day period specified in KRS 278.300(2). 2. The procedural schedule set forth in the Appendix to this Order shall be followed. 3. EKPC shall respond to all requests for information propounded by Commission Staff, whether identified on the procedural schedule or otherwise, as provided in those requests. 4. Any party filing a paper with the Commission shall file an electronic copy in accordance with the electronic filing procedures set forth in 807 KAR 5:001, Section 8. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked. The Commission directs the parties to the Commission's July 22, 2021 Order in Case No. 2020-00085¹ regarding filings with the Commission. 5. As set forth in 807 KAR 5:001, Section 4(11)(a), a person requesting permissive intervention in a Commission proceeding is required to demonstrate either (1) a special interest in the proceeding that is not adequately represented in the case, or (2) that the person requesting permissive intervention is likely to present issues or develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings.

05/13/24 Kent Pittard Public Comment

05/13/24 Philip G. Meyer Public Comment

05/01/24 No deficiency letter

04/26/24 L. Allyson Honaker East Kentucky Power, Inc. Application and Exhibits

04/25/24 Acknowledge Receipt of Filing

04/25/24 East Kentucky Power Cooperative, Inc. Notice of Intent to File an Application for a Certificate of Public Convenience and Necessity, Approval of Financing and Other General Relief Using Electronic Filing Procedures

Total Number of Cases: 1