

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC INVESTIGATION INTO THE	)	CASE NO.
MANAGEMENT AND OPERATION OF	)	2026-00159
KENTUCKY POWER COMPANY	)	

ORDER

On August 14, 2026, Appalachian Citizens' Law Center, Kentuckians for the Commonwealth, and Mountain Association (collectively, Joint Movants) filed a motion requesting to intervene in this proceeding. As a basis for its motion, Joint Movants stated that each entity had a special interest in the proceedings and that they would assist in developing the record without unduly complicating the proceeding.¹

LEGAL STANDARD

The Attorney General of the Commonwealth of Kentucky, by and through the Office of Rate Intervention (Attorney General), has the statutory right to intervene in Commission cases pursuant to KRS 367.150(8)(b). The Attorney General was granted intervention by Order issued on August 12, 2026. With limited exception, intervention by all others is permissive and within the sole discretion of the Commission.²

The regulatory standard for permissive intervention, set forth in 807 KAR 5:001, Section 4, is twofold. Commission regulation 807 KAR 5:001, Section 4(11), requires a person to set forth in the motion to intervene either (1) a special interest in the proceeding

¹ Joint Movants' Motion for Full Intervention (Motion) (filed Aug. 14, 2026) at unnumbered PDF pages 2-3.

² KRS 164.2807.

that is not otherwise adequately represented in the case, or (2) that 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.

DISCUSSION AND FINDINGS

Based on a review of the pleadings at issue and being otherwise sufficiently advised, the Commission finds that the Joint Movants have failed to demonstrate that they have a special interest or an ability to develop the record without unduly complicating or disrupting the proceedings for the reasons discussed below. The Commission notes, as an initial matter, that this case was opened to facilitate administrative efficiencies in the audit of Kentucky Power Company (Kentucky Power).³

The Joint Movants made several arguments in support of their motion for intervention. The Joint Movants stated that they would jointly provide discovery, testimony and witnesses in order to minimize disruption.⁴ Joint Movants claimed that no party to the proceeding currently represent the same interests.⁵ In addition, Joint Movants noted their interest in developing the record as it relates to continued reliance on large capital generating facilities, energy efficiency and minimization of energy use, and the role of demand-side management as an alternative to costly supply- and capital-side investment of Kentucky Power.⁶ Joint Movants argued that they had an interest in the

³ Order (Ky. PSC July 2, 2026).

⁴ Joint Movants' Motion at unnumbered PDF pages 7-8.

⁵ Joint Movants' Motion at unnumbered PDF pages 8-9.

⁶ Joint Movants' Motion at unnumbered PDF pages 9-10.

“effects of Kentucky Power's management and planning decisions on residential ratepayers (particularly low-income ratepayers) and small commercial ratepayers.”⁷

As noted above, the Commission finds that this motion should be denied. The mere assertion of providing testimony and evidence indicates that allowing the Joint Movants full rights of a party through intervention would unduly complicate the proceedings. This docket is offered merely as a repository for documents so that the public can be informed as to the process.

Joint Movants will have an opportunity to participate in this proceeding even though they are not granted intervenor status. Joint Movants can review all public documents filed in this case and monitor the proceedings via the Commission's website. In addition, Joint Movants may file comments as frequently as they choose, and those comments will be entered into the record of this case. Most notably, the request for proposal published on September 11, 2026, states in part that

[t]he Consultant will conduct interviews with Kentucky Power's senior management and appropriate AEP Service Corp. personnel. The Consultant shall conduct an interview early to gather points of interest with appropriate representatives of the following parties who have intervened at the Commission in Kentucky Power's proceedings: the Attorney General; Kentucky Industrial Utility Customers; and Mountain Association, Appalachian Citizens Law Center, Kentuckians for the Commonwealth, and the Kentucky Solar Energy Society (collectively, Joint Intervenors).⁸

The Commission encourages the Joint Movants to cooperate and facilitate the gathering of information through this process as set forth in the request for proposal.

⁷ Joint Movants' Motion at unnumbered page 10.

⁸ [2026-00159_KentuckyPowerManagementAudit_RFP.pdf](#)

IT IS THEREFORE ORDERED that Joint Movants' motion to intervene is denied.

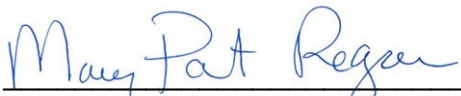
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Entered on this 29th day of September, 2026.

PUBLIC SERVICE COMMISSION



Angie Hatton
Chair



Mary Pat Regan
Vice Chair



Andrew W. Wood
Commissioner



Barry L. Mayfield
Commissioner

ATTEST:



Justin McNeil
Executive Director

Case No. 2026-00159

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