

**COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION**

In the matter of: : CASE NO. 2014-00396

APPLICATION OF KENTUCKY POWER :
COMPANY FOR: (1) A GENERAL :
ADJUSTMENT OF ITS RATES FOR :
ELECTRONIC SERVICE; (2) AN ORDER :
APPROVING ITS 2014 ENVIRONMENTAL :
COMPLIANCE PLAN; (3) AN ORDER :
APPROVING ITS TARIFFS AND RIDERS; :
AND (4) AN ORDER GRANTING ALL OTHER :
REQUIRED APPROVALS AND RELIEF :

KENTUCKY SCHOOL BOARDS ASSOCIATION’S POST-HEARING BRIEF

Comes the Kentucky School Boards Association (“KSBA”) and for its post-hearing brief, KSBA states as follows:

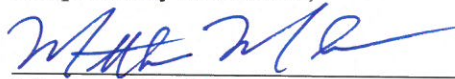
KSBA and the other intervenors in this matter had several informal settlement conferences here which resulted in a fair, just and reasonable settlement of all the issues in this case which thereafter the Attorney General’s (“AG”) office refused to endorse. While the settlement in this matter was not unanimous based upon the AG’s refusal to endorse it here, a very similar situation occurred before the Commission *In the Matter of: The Application of Kentucky Utilities Company for An Adjustment in Base Rates, 2009-00548* (wherein all the intervenors signed off on a settlement/stipulation except for the AG who contested the proceedings). In the final Order in Case No. 2009-00548, dated July 30, 2010, p. 33, the Commission upheld the intervenors’ stipulation despite the AG contesting the proceedings holding:

“[b]ased upon a review of all provisions in the Stipulation, an examination of the entire record, and being otherwise sufficiently advised, the Commission finds that the provisions of the Stipulation are in the public interest and should be approved since they would result in a lower rate increase than justified by our traditional rate-making analysis. Our approval of the Stipulation is based solely on its

reasonableness in toto and does not constitute precedent on any issue except as specifically provided for therein.”

The situation in the case at bar is certainly similar to the “hold out” situation with the AG in case no. 2009-00548 and while the territories and companies involved are different, the Commission’s sound reasoning in upholding the Stipulation in case no. 2009-00548 based upon the “public interest” appears likewise appropriate in the case at bar and KSBA urges the Commission to undertake a similar reasonable approach in this matter. The Stipulation in the case at bar certainly provides significant consideration for the schools in Kentucky Power’s territory with the separate tariff being established in the Stipulation for the benefit of public schools at a smaller rate increase than proposed which avoids reduction otherwise of expenditures to public schools in some of the poorest counties in the Commonwealth. KSBA and representative member boards in the Kentucky Power territory are extremely pleased with the possibility of the comparable financial savings to the public schools and their already tight budgets based upon the Stipulation and KSBA certainly suggests that the Stipulation here is in the “public interest” and respectfully requests that the Commission enter the Stipulation in this matter in toto similar to the holding in Case No. 2009-00548.

Respectfully submitted,



Matthew R. Malone
William H. May, III.
Hurt, Deckard & May PLLC
127 West Main Street
Lexington, Kentucky 40507
(859) 254-0000 (office)
(859) 254-4763 (facsimile)
mmalone@hdmfirm.com
bmay@hdmfirm.com

Counsel for the Petitioner,
KENTUCKY SCHOOL BOARDS ASSOCIATION

CERTIFICATE OF SERVICE

It is hereby certified, this the 5th day of June 2015, that the attached is a true and correct copy of the document being filed in paper medium; that the electronic filing has been transmitted to the Commission on June 5, 2015; that there are currently no parties that have been excused from participation by electronic service; that an original and one copy of this document is being mailed to the Commission for filing on June 5, 2015; and that an electronic notification of the electronic filing will be provided to all counsel listed on the Commission's service list in this proceeding.



ATTORNEY FOR KSBA