

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

**ELECTRONIC APPLICATION OF)
KENTUCKY POWER COMPANY FOR (1) A)
GENERAL ADJUSTMENT OF ITS RATES)
FOR ELECTRIC SERVICE; (2) AN ORDER)
APPROVING ITS 2017 ENVIRONMENTAL)
COMPLIANCE PLAN; (3) AN ORDER)
APPROVING ITS TARIFFS AND RIDERS;)
(4) AN ORDER APPROVING ACCOUNTING)
PRACTICES TO ESTABLISH)
REGULATORY ASSETS AND LIABILITIES;)
AND (5) AN ORDER GRANTING ALL)
OTHER REQUIRED APPROVALS AND)
RELIEF)**

CASE NO. 2017-00179

WAL-MART STORES EAST, LP AND SAM'S EAST, INC.'S

OBJECTIONS TO

KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC.'S

FIRST SET OF DATA REQUESTS

DATED AUGUST 14, 2017

FILED: AUGUST 28, 2017

WAL-MART STORES EAST, LP AND SAM'S EAST, INC.

CASE NO. 2017-00179

**Objections to Kentucky Industrial Utility Customers, Inc.'s
First Set of Data Requests
Dated August 14, 2017**

Question No. 1

Response Provided by Counsel

- Q.1-1. Of the "nearly 30,000" associates employed by Wal-Mart in Kentucky, please provide the following:
- a. How many employees were full time (40 hours or more per week).
 - b. How many employees were part time (less than 40 hours per week).

OBJECTION:

Walmart objects to this data request on the following grounds:

1. The data request seeks information that is irrelevant to this proceeding and the subject matter of Kentucky Power's rate filing. To the extent that the testimonial statement giving rise to this data request was ever relevant in this proceeding, it was relevant only for the purpose of supporting Walmart's Motion to Intervene at the hearing conducted on July 24, 2017, which was granted by Order of the Commission issued on August 3, 2017. Any information that KIUC seeks to obtain in relation to testimony in support of Walmart's Motion to Intervene is moot.
2. The data request appears aimed only to harass Walmart and to cause Walmart to incur additional expense in further defending a Motion to Intervene that was granted pursuant to an Order issued on August 3, 2017. To that end, this data request would require Walmart to invest significant time and expense in compiling data that is of no value to the issues being litigated in this case, and is therefore unduly burdensome.
3. The data request seeks information that is **CONFIDENTIAL** and **COMPETITIVELY SENSITIVE**, the revelation of which, particularly to competitors, could harm Walmart and its operations in Kentucky and other jurisdictions.

WAL-MART STORES EAST, LP AND SAM'S EAST, INC.

CASE NO. 2017-00179

**Objections to Kentucky Industrial Utility Customers, Inc.'s
First Set of Data Requests
Dated August 14, 2017**

Question No. 1

Response Provided by Counsel

- Q.1-2. Of the \$1.3 billion Wal-Mart spent with 848 Kentucky based suppliers please provide the following.
- a. Please list the names of each of the 848 suppliers.
 - b. Please provide the product supplied by each of the 848 suppliers.
 - c. Please identify how much money was spent by Wal-Mart with each of the 848 suppliers.

OBJECTION:

Walmart objects to this data request on the following grounds:

1. The data request seeks information that is irrelevant to this proceeding and the subject matter of Kentucky Power's rate filing. To the extent that the testimonial statement giving rise to this data request was ever relevant in this proceeding, it was relevant only for the purpose of supporting Walmart's Motion to Intervene at the hearing conducted on July 24, 2017, which was granted by Order of the Commission issued on August 3, 2017. Any information that KIUC seeks to obtain in relation to testimony in support of Walmart's Motion to Intervene is moot.
2. The data request appears aimed only to harass Walmart and to cause Walmart to incur additional expense in further defending a Motion to Intervene that was granted pursuant to an Order issued on August 3, 2017. To that end, this data request would require Walmart to invest significant time and expense in compiling obviously voluminous data that is of no value to the issues being litigated in this case, and is therefore unduly burdensome on its face.
3. The data request seeks information that is **HIGHLY CONFIDENTIAL** and **COMPETITIVELY SENSITIVE**, the revelation of which, particularly to competitors, could harm Walmart and its operations in Kentucky and other jurisdictions.

WAL-MART STORES EAST, LP AND SAM'S EAST, INC.

CASE NO. 2017-00179

**Objections to Kentucky Industrial Utility Customers, Inc.'s
First Set of Data Requests
Dated August 14, 2017**

Question No. 1

Response Provided by Counsel

Q.1-3. Please provide the analysis which supports the assertion that Wal-Mart supported "*an additional 35,000 jobs*" in Kentucky.

OBJECTION:

Walmart objects to this data request on the following grounds:

1. The data request seeks information that is irrelevant to this proceeding and the subject matter of Kentucky Power's rate filing. To the extent that the testimonial statement giving rise to this data request was ever relevant in this proceeding, it was relevant only for the purpose of supporting Walmart's Motion to Intervene at the hearing conducted on July 24, 2017, which was granted by Order of the Commission issued on August 3, 2017. Any information that KIUC seeks to obtain in relation to testimony in support of Walmart's Motion to Intervene is moot.
2. The data request appears aimed only to harass Walmart and to cause Walmart to incur additional expense in further defending a Motion to Intervene that was granted pursuant to an Order issued on August 3, 2017. To that end, this data request would require Walmart to invest significant time and expense in compiling data that is of no value to the issues being litigated in this case, and is therefore unduly burdensome.

CERTIFICATE OF SERVICE

I hereby certify that Walmart's August 28, 2017, electronic filing is a true and accurate copy of Wal-Mart Stores East, LP and Sam's East, Inc.'s Objections to Kentucky Industrial Utility Customer, Inc.'s First Set of Data Requests to be filed in paper medium; and that on August 28, 2017, the electronic filing has been transmitted to the Commission, and that an original and one copy of the filing will be delivered to the Commission, that no participants have been excused from electronic filing at this time, and served upon the following via Electronic Mail:

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