

EAST KENTUCKY POWER COOPERATIVE, INC.

PSC CASE NO. 2018-00217
FUEL ADJUSTMENT CLAUSE
SUPPLEMENTAL RESPONSE TO INFORMATION REQUEST

COMMISSION STAFF'S INFORMATION REQUEST DATED 08/10/18

REQUEST 10

RESPONSIBLE PARTY: Mark Horn

Request 10a. State whether EKPC is currently involved in any litigation with its current or former coal suppliers or transportation vendors.

Response 10a. East Kentucky is currently involved in litigation with one coal supplier.

Supplemental Response 10a. In its original response to Request No. 10a, EKPC indicated that it was involved in bankruptcy litigation with one coal supplier. Since then, the litigation with that coal supplier, Appalachian Fuels, LLC, has concluded, and EKPC has received a pro rata share of all distributions made to the debtor's unsecured creditors. Based on an allowed general unsecured claim in the amount of \$18,000,000.00, EKPC received \$2,136,600.00. This final distribution represents an 11.87% distribution on the allowed unsecured claim in this matter. The distribution from App Fuels Creditors Trust was received by EKPC on September 13, 2018.

