

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

**In the Matter of:**

<b>ELECTRONIC APPLICATION OF KENTUCKY</b>	)	
<b>POWER COMPANY FOR (1) A GENERAL</b>	)	
<b>ADJUSTMENT OF ITS RATES FOR ELECTRIC</b>	)	
<b>SERVICE; (2) APPROVAL OF TARIFFS AND</b>	)	
<b>RIDERS; (3) APPROVAL OF ACCOUNTING</b>	)	<b>CASE NO.</b>
<b>PRACTICES TO ESTABLISH REGULATORY</b>	)	<b>2020-00174</b>
<b>ASSETS AND LIABILITIES; (4) APPROVAL OF</b>	)	
<b>A CERTIFICATE OF PUBLIC CONVENIENCE</b>	)	
<b>AND NECESSITY; AND (5) ALL OTHER</b>	)	
<b>REQUIRED APPROVALS AND RELIEF</b>	)	

---

**INITIAL DATA REQUESTS OF SIERRA CLUB TO KENTUCKY POWER COMPANY**

---

Pursuant to the Commission’s July 14, 2020, Order, Sierra Club hereby propounds the following initial requests for information on Kentucky Power Company (“KPC” or the “Company”) in the above-captioned proceeding.

The Company shall answer these data requests in the manner and timeframe set forth in the aforementioned Order, including by no later than August 26, 2020. Please produce the requested documents in electronic format whenever possible, and to the following recipient:

Matthew E. Miller  
Sierra Club  
2528 California Street  
Denver, CO 80205  
Email: matthew.miller@sierraclub.org

Wherever the response to an interrogatory or request consists of a statement that the requested information is already available to Sierra Club, provide a detailed citation to the document that contains the information. This citation shall include the title of the document, relevant page number(s), and to the extent possible paragraph number(s) and/or chart(s)/table(s)/figure number(s).

In the event that any document referred to in response to any request has been destroyed, specify the date and the manner of such destruction, the reason for such destruction, the person authorizing the destruction and the custodian of the document at the time of its destruction.

Sierra Club reserves the right to serve supplemental and/or revised discovery requests as permitted in this proceeding.

## DEFINITIONS

Unless otherwise specified in each individual interrogatory or request, “you,” “your,” the “Company,” or “KPC,” refers to Kentucky Power Company, and its affiliates, officers, directors, employees, and agents.

“And” and “or” shall be construed either conjunctively or disjunctively as required by the context to bring within the scope of these interrogatories and requests for production of documents any information which might be deemed outside their scope by another construction.

“Any” means all or each and every example of the requested information.

“Communication” means any transmission or exchange of information between two or more persons, whether orally or in writing, and includes, without limitation, any conversation or discussion by means of letter, telephone, note, memorandum, telegraph, telex, telecopy, cable, email, or any other electronic or other medium.

“Document” refers to written matter of any kind, regardless of its form, and to information recorded on any storage medium, whether in electrical, optical or electromagnetic form, and capable of reduction to writing by the use of computer hardware and software, and includes all copies, drafts, proofs, both originals and copies either (1) in the possession, custody or control of the Company regardless of where located, or (2) produced or generated by, known to or seen by the Company, but now in their possession, custody or control, regardless of where located whether or still in existence.

Such “documents” shall include, but are not limited to, applications, permits, monitoring reports, computer printouts, contracts, leases, agreements, papers, photographs, tape recordings, transcripts, letters or other forms of correspondence, folders or similar containers, programs, telex, TWX and other teletype communications, memoranda, reports, studies, summaries, minutes, minute books, circulars, notes (whether typewritten, handwritten or otherwise), agenda, bulletins, notices, announcements, instructions, charts, tables, manuals, brochures, magazines, pamphlets, lists, logs, telegrams, drawings, sketches, plans, specifications, diagrams, drafts, books and records, formal records, notebooks, diaries, registers, analyses, projections, email correspondence or communications and other data compilations from which information can be obtained (including matter used in data processing) or translated, and any other printed, written, recorded, stenographic, computer-generated, computer-stored, or electronically stored matter, however and by whomever produced, prepared, reproduced, disseminated or made.

Without limitation, the term “control” as used in the preceding paragraphs means that a document is deemed to be in your control if you have the right to secure the document or a copy thereof from another person or public or private entity having actual possession thereof. If a document is responsive to a request, but is not in your possession or custody, identify the person with possession or custody. If any document was in your possession or subject to your control, and is no longer, state what disposition was made of it, by whom, the date on which such disposition was made, and why such disposition was made.

For purposes of the production of “documents,” the term shall include copies of all documents being produced, to the extent the copies are not identical to the original, thus requiring the production of copies that contain any markings, additions or deletions that make them different in any way from the original.

“Identify” means:

- (a) With respect to a person, to state the person’s name, address and business relationship (e.g., “employee”) vis-à-vis the Company;
- (b) With respect to a document, to state the nature of the document in sufficient detail for identification in a request for production, its date, its author, and to identify its custodian. If the information or document identified is recorded in electrical, optical or electromagnetic form, identification includes a description of the computer hardware or software required to reduce it to readable form.

“Relating to” or “concerning” means and includes pertaining to, referring to, or having as a subject matter, directly or indirectly, expressly or implied, the subject matter of the specific request.

“Workpapers” are defined as original, electronic, machine-readable, unlocked, Excel format (where possible) with formulas intact.

### **PRIVILEGE**

If you claim a privilege including, but not limited to, the attorney-client privilege or the work product doctrine, as grounds for not fully and completely responding to any interrogatory or request for production, describe the basis for your claim of privilege in sufficient detail so as to permit Sierra Club or the Commission to evaluate the validity of the claim. With respect to documents for which a privilege is claimed, produce a “privilege log” that identifies the author, recipient, date and subject matter of the documents or interrogatory answers for which you are asserting a claim of privilege and any other information pertinent to the claim that would enable Sierra Club or the Commission to evaluate the validity of such claims.

### **TIME**

Unless otherwise provided, the applicable time period for each of these requests for information is January 1, 2015, to the present.

### **DATA REQUESTS**

- 1. Refer to p.5 of Mr. Blankenship’s testimony. Please elaborate on why it is “imperative that the Company transition to AMI to facilitate” distributed solar resources, including by discussing how AMI permits or enhances the functionality of distributed solar technology.
- 2. Refer to p.13 of Mr. Blankenship’s testimony. Please identify which of the benefits of AMI, if any, are reasonably amenable to accurate approximate quantification; and please

estimate the value (in \$) of each such benefit, if reasonably possible. If not, please explain why no benefit is susceptible to reasonable quantification and/or why such calculations are not reasonably possible.

3. Refer to p.12 of Ms. Wiseman’s testimony. Please explain whether the Company has already conducted any preliminary outreach (as distinct from the planned future outreach described) with customers about the possible installation of AMI to solicit their input on whether customers need or want AMI. If so, please share the input the Company has obtained.
4. Refer to pp. 16-17 of Ms. Wiseman’s testimony. Please provide any documents that may expound on the Company’s planned “comprehensive education and awareness campaign” about the benefits of AMI, and otherwise provide any additional details that may exist about such plans at this time, including the planned frequency and duration of such outreach (including but not limited to whether the campaign will terminate at the end of the AMI deployment process).
5. Refer to p.25 & Exhibit AEV-4 of Mr. Vaughan’s testimony, and p.ES-5 of Company’s 2019 Integrated Resource Plan (IRP). Please identify and provide any analysis the Company has performed, obtained, or reviewed that seeks to evaluate the potential relative cost savings to the Company’s system posed by allowing and realizing distributed solar installation at a level greater than the 1% cap that is proposed in the Net Metering Service II tariff—an additional increment of power that could displace potentially costlier power that the Company plans on procuring from other sources in its future portfolio (or, if no such analysis exists, so indicate).
6. Refer to pp. 27-28 of Mr. Vaughan’s testimony. With respect to the statement, “The items discussed above”—including “[t]he societal cost of carbon” and “[o]ther externalities,” *inter alia*—“that are not included are appropriately excluded because they do not pertain to the Company’s cost of electric service, which is what its Kentucky retail jurisdictional rates are based upon.”: Please explain whether Mr. Vaughan and KPC take the position that tariffs always are and must be formulated based exclusively on the “cost of electric service,” and not any other or broader considerations (e.g., the public interest). Cite all authorities (technical, legal, or otherwise) on which Mr. Vaughan and KPC rely for that response.
7. Refer to p.4 of Ms. Osborne’s testimony, p. 48 of Mr. Vaughan’s testimony, and para. 7, p.4, of the Company’s Application. Please indicate whether, at this time, the Company has any intentions of seeking to renew the Rockport Plant Unit Power Agreement (UPA) at 393 MW, or any replacement agreement for any amount of power, after the current UPA expires at the end of 2022. If so, describe.
8. Refer to pp. 4 & 8-9 of Ms. Osborne’s testimony, and para. 6, p.3, of the Company’s application.
  - a) Please provide a copy of all contractual documents defining or affecting the Company’s rights and obligations with respect to the Mitchell Plant, including but not limited to power supply, ongoing operational decisions, and decisions regarding capital investments, environmental compliance, or plant retirement/conversion.

Please also provide a copy of the currently effectual version of the Power Coordination Agreement (PCA), if not encompassed by the foregoing.

- b) Please explain the decision-making process behind whether, and in what mode, to commit the Mitchell Plant's units into the PJM energy market (e.g., to self-schedule versus to market-/economically commit the units), including but not limited to who makes those decisions (e.g., Wheeling Power and/or KPC) and how often the decision whether to self-schedule the units is made/assessed. Please also provide any documents that may exist that define or reflect the foregoing.
- c) Please identify the average capacity factor of each unit of the Mitchell Plant for each month of the test year period.

Dated: August 12, 2020

Respectfully submitted,



*Of counsel*  
(not licensed in Kentucky):

Matthew E. Miller, Esq.  
Sierra Club  
2528 California St  
Denver, CO  
Phone: (517) 230-7420  
Email: matthew.miller@sierraclub.org

Joe F. Childers, Esq.  
Childers & Baxter PLLC  
300 Lexington Building  
201 West Short Street  
Lexington, KY 40507  
Phone: (859) 253-9824  
Fax: (859) 258-9288  
Email: joe@jchilderslaw.com

*Counsel for Sierra Club*

**CERTIFICATE OF SERVICE**

This is to certify that the foregoing copy of the INITIAL DATA REQUESTS OF SIERRA CLUB TO KENTUCKY POWER COMPANY in this action is being electronically transmitted to the Commission on August 12, 2020; and that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding. Per the Commission's general standing Order issued in Case No. 2020-00085 on March 16, 2020, this filing will not be mailed in paper medium to the Commission.



JOE F. CHILDERS