

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

IN THE MATTER OF

ELECTRONIC TARIFF FILING OF EAST KENTUCKY )	
POWER COOPERATIVE, INC. OF AN AMENDMENT )	
TO AN INDUSTRIAL POWER AGREEMENT WITH )	CASE NO.
INTERRUPTIBLE SERVICE BETWEEN EAST )	2020-00317
KENTUCKY POWER COOPERATIVE, INC., OWEN )	
ELECTRIC CORPORATION, INC. AND NUCOR )	
STEEL COMPANY )	

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**EAST KENTUCKY POWER COOPERATIVE, INC.’S  
MOTION TO SUBMIT CASE FOR DECISION BASED UPON  
THE EXISTING ADMINISTRATIVE RECORD**

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Comes now East Kentucky Power Cooperative, Inc. (“EKPC”), by and through counsel, pursuant to the Commission’s September 29, 2020 Procedural Order and other applicable law, and hereby moves the Commission to render a decision based upon the existing administrative record, respectfully stating as follows:

On July 14, 2020, EKPC filed the revised tariff through the Commission’s electronic tariff filing system. On September 29, 2020 the Commission entered an Order suspending the tariff and establishing a procedural schedule in this case. The procedural schedule provided for one round of written requests for information. Commission Staff propounded requests for information on October 16, 2020 and EKPC filed responses to the requests for information on November 6, 2020. There have been no motions for intervention in the case. The procedural

schedule gave EKPC until December 4, 2020 to request a hearing or to submit the case for a decision on the existing record.

EKPC believes that it has fully and adequately addressed the requests for information from Commission Staff and that there is sufficient evidence in the administrative record, as it currently exists, and to grant the requested relief. Accordingly, EKPC is willing to waive its right to a hearing in this matter and request the Commission to render its decision based upon the existing administrative record. EKPC acknowledges, however, that the Commission may desire to have an evidentiary hearing and, if that is the case, EKPC respectfully requests the Commission to amend the September 29, 2020 Procedural Order and to schedule a hearing in the near future.

WHEREFORE, on the basis of the foregoing, EKPC respectfully moves to submit the case for a decision based upon the existing administrative record.

This 4<sup>th</sup> day of December, 2020.

Respectfully submitted,



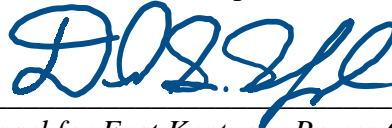
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*Counsel for East Kentucky Power Cooperative, Inc.*

## CERTIFICATE OF SERVICE

This will certify that the foregoing document was filed via the Commission's electronic filing system today. The undersigned hereby certifies that the electronic filing is a true and accurate copy of the documents being filed in paper medium; the electronic filing was transmitted to the Commission on December 4, 2020; there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; paper copies of this information will be hand-delivered to the Commission within thirty (30) days of the lifting of the present State of Emergency relating to the COVID-19 pandemic.



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*Counsel for East Kentucky Power Cooperative, Inc.*