

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

**In the Matter of:**

<b>ELECTRONIC APPLICATION OF KENTUCKY</b>	)	
<b>POWER COMPANY FOR APPROVAL OF A</b>	)	
<b>CERTIFICATE OF PUBLIC CONVENIENCE</b>	)	
<b>AND NECESSITY FOR ENVIRONMENTAL</b>	)	<b>CASE NO.</b>
<b>PROJECT CONSTRUCTION AT THE</b>	)	<b>2021-00004</b>
<b>MITCHELL GENERATING STATION, AN</b>	)	
<b>AMENDED ENVIRONMENTAL COMPLIANCE</b>	)	
<b>PLAN, AND REVISED ENVIRONMENTAL</b>	)	
<b>SURCHARGE TARIFF SHEETS</b>	)	

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**SIERRA CLUB’S MOTION TO LATE-FILE RESPONSE  
TO THE COMMISSION’S MAY 25, 2021, ORDER**

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Pursuant to the Commission’s May 25, 2021, Order, the parties were to file, within three (3) days, a response to the *sua sponte* announcement of the Commission that a hearing in this matter may not be necessary. Due to failure of communication among counsel for Sierra Club, this deadline was missed. Sierra Club now moves the Commission for leave to late-file the following response:

Sierra Club believes a hearing is warranted, and respectfully opposes cancellation of the hearing. All of the intervenors are on record opposing major portions of Kentucky Power Company’s request for the CPCN in this case. Sierra Club believes the record would be more fully developed by material questioning of the company’s witnesses through cross examination at the hearing. In addition, Sierra Club expects to have material cross examination on the company’s forthcoming rebuttal testimony. Finally, members of the public should have the right to orally comment on the proposal at the beginning of the public hearing.

For the foregoing reasons, Sierra Club respectfully moves the Commission to permit the late-filing of this response, and respectfully requests that the Commission go forward with the hearing, as previously scheduled.

Dated: June 1, 2021

Respectfully submitted,



*Of counsel*  
(not licensed in Kentucky):

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**CERTIFICATE OF SERVICE**

This is to certify that the foregoing copy of the SIERRA CLUB'S MOTION TO LATE-FILE RESPONSE TO THE COMMISSION'S MAY 25, 2021, ORDER in this action is being electronically transmitted to the Commission on June 1, 2021; 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.



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JOE F. CHILDERS