

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

In the Matter of:

|                                  |   |                     |
|----------------------------------|---|---------------------|
| THE ELECTRONIC APPLICATION OF    | ) |                     |
| INTER-COUNTY ENERGY COOPERATIVE  | ) |                     |
| CORPORATION FOR PASS-THROUGH OF  | ) | Case No. 2021-00111 |
| EAST KENTUCKY POWER COOPERATIVE, | ) |                     |
| INC.'S WHOLESALE RATE ADJUSTMENT | ) |                     |

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**INTER-COUNTY ENERGY COOPERATIVE CORPORATION'S  
MOTION FOR DEVIATION**

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Comes now Inter-County Energy Cooperative Corporation (“Inter-County”), by counsel, pursuant to 807 KAR 5:001 Section 22 and other applicable law, and for its Motion requesting that the Kentucky Public Service Commission (“Commission”) grant a deviation from 807 KAR 5:007 Section 1(7), respectfully states as follows:

1. Inter-County submitted its customer notice to the Kentucky Press Association to be published in the newspapers in its service territory on or before April 1, 2021, the date the Application is contemporaneously being tendered herewith to the Commission for filing.

2. After the customer notice was sent to Kentucky Press Association, Inter-County noticed a typographical error in its Rate G rate schedule that was contained in the customer notice. Being too late to amend and revise the customer notice prior to its publication, Inter-County subsequently prepared, hand-delivered and mailed a letter reflecting the correct Rate G rate schedule to the only customer that it has on that rate schedule. A copy of the notice that was mailed and delivered to Inter-County’s only Rate G customer is attached to the Application at part of Exhibit 5.

3. The letter notice also contained the required information for the customer notice including the present and proposed rates, the effect of the increase in both dollar amount and percent and the effect on the average bill. However, since this customer's facility is still under construction and will not be in full production until July 1, 2022, the average usage was calculated by using the July 1, 2022 minimum contract demand and target load factor to calculate the effect on the average bill. Inter-County gave notice in this manner in order to be completely transparent and fully advise the customer of the impact of its proposed wholesale rate increase pass through. Had Inter-County only given notice of the proposed change based upon the customer's actual usage during the initial months of construction, the customer would likely be confused or unclear as to the full impact of the proposed rate adjustment.

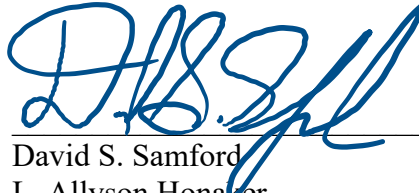
4. Inter-County has now published customer notice via newspaper publication in accordance with 807 KAR 5:007, Section 1(7)(b). To the extent that the Rate G customer notice originally contained a typographical error, Inter-County has cured the error by giving its only Rate G customer a letter that was hand-delivered and sent via mail prior to the date that its Application was tendered. Accordingly, Inter-County believes that it has complied with both the letter and spirit of 807 KAR 5:007.

5. However, to the extent the Commission may deem it necessary, Inter-County respectfully moves the Commission to grant it a deviation from the notice requirements requiring mailing to "all" of Inter-County's customers. Under the specific facts and circumstances of this situation, Inter-County is also requesting a deviation to allow Inter-County to use the July 1, 2022 contract demand and target load factor to calculate the effect on the average bill of its Rate G customer since that customer does not have any consistent historical usage while the facility is still under construction.

WHEREFORE, on the basis of the foregoing, Inter-County respectfully requests the Commission to grant a deviation from 807 KAR 5:007 Section 1(7) and any other application regulations as the Commission may deem necessary.

This 1<sup>st</sup> day of April, 2021.

Respectfully submitted,



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