

December 10, 2024

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**ELECTRONICALLY FILED**

Linda C. Bridwell  
Executive Director  
Public Service Commission  
211 Sower Boulevard  
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RE: **Case No. 2021-00346** (Post-Case Correspondence File)

Dear Ms. Bridwell:

By this letter, Kentucky Power Company provides the Commission with additional updates to the estimated in-service date for the Garrett Area Improvements 138 kV Transmission Project (“Project”), for which the Commission approved a certificate of convenience and public necessity (“CPCN”) to construct by its Orders dated March 8, 2022 and April 13, 2022, in the above-referenced case. The Company last provided updates to the estimated in-service date for this project by letter dated September 11, 2023.

For the reasons stated below, the Company estimates that the Project will be placed into service by the fourth quarter of 2027. The following portions of the Project are expected to be placed into service by the following dates:

6/23/2027:	Garrett-Softshell Transmission Line
9/14/2027:	Eastern-Garrett Transmission Line
9/14/2027:	Eastern-Hayes Branch Transmission Line
9/14/2027:	Garrett Station
10/5/2027:	Eastern Station
10/5/2027:	Hayes Branch Station
10/5/2027:	Hayes Branch-Morgan Fork Transmission Line

The Company has kept the Commission apprised of its property acquisition efforts via monthly property acquisition reports filed in the post-case files of this matter. As detailed in the Company’s most recent property acquisition report, filed December 5, 2024, the Company has acquired the right-of-way for 74 of the 95 parcels affected by the transmission line or its right-of-way.

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Since receiving the Commission's order granting the CPCN, the Company has worked diligently to investigate and address constructability issues, finalize the transmission line route, research and confirm real property ownership as part of right-of-way acquisition, and acquire right-of-way. The Company discussed the issues related to parcel identification and right-of-way acquisition in its September 11, 2023 update letter.

Project construction activities also have begun and remain ongoing in an effort to avoid further construction delays. To date, the Company has started right-of-way clearing on the parcels of right-of-way thus far acquired, and construction on the Garrett Station. The Company also will shortly begin constructing access roads.

The two main drivers for the in-service delays with this Project are right-of-way acquisition and constructability issues. The right-of-way acquisition process, specifically if the Company is required to institute condemnation proceedings, can be long and cumbersome. Condemnation is a process that takes time and is dependent on the respective courts' processes and scheduling. The Company must make three good faith offers before instituting condemnation proceedings. A condemnation action is then prepared and filed with court. The court appoints a commissioner to review and complete a commissioner's report, which can take 90 days or more. Then, a decision will be made by the court. This whole process can take several months, to more than a year, absent any appeal. The Company has encountered additional delays in connection with one specific property connected to this Project and has had to wait for additional legal processes to play out. There is a potential investor for the property in England and the Company is required to give that investor additional time prior to instituting condemnation proceedings by the end of January 2025.

The Company also has encountered particularly difficult terrain in the Project area, which has raised additional constructability issues not anticipated at the time the Company filed its CPCN application in this case. The Company is still able to construct the line as demonstrated in Case No. 2021-00346, however, the construction process will take additional time. Due to the terrain, style of structures, number of structures, and the length of the transmission line, significant additional construction time is required. The Project is approximately 15 miles long, and a majority of the structures are towers that require grillages (additional framework to support the load in soil of low bearing capacity). As such, the Company is now scheduling two months to construct one mile of transmission line for this Project. Therefore, the additional time required to construct this Project results in the in-service dates described above.

This Project is considered to be Supplemental by PJM, and while the Company must inform PJM of the delay in its next regular quarterly report, no project modifications need to be made at PJM.

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The Company will continue to provide monthly property acquisition reports, and will also provide the Commission with additional updates, like this one, regarding the estimated Project in-service date upon any material change.

Please do not hesitate to contact me if you have any questions.

Very truly yours,

STITES & HARBISON PLLC



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