

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

Electronic Investigation Of The Service, Rates And)
Facilities Of Kentucky Power Company) Case No. 2021-00370

Notice of Filing Of Ten-Day Status Update

Kentucky Power Company gives notice, in accordance with ordering paragraph 7 of the Commission's September 27, 2021 Order, of its filing as part of this notice of its February 3, 2022 supplemental response to KPSC_RH_1_1 (ten-day update) in Case No. 2021-00004.

Also filed with the notice of filing are the five attachments to the February 3, 2022 ten-day update.

Respectfully submitted,



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COUNSEL FOR
KENTUCKY POWER COMPANY

Kentucky Power Company
KPSC Case No. 2021-00004
Commission Staff's Rehearing Data Requests
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DATA REQUEST

RH_1_1 Explain Kentucky Power and Wheeling Power's plan regarding Mitchell. Provide updated status reports every ten days through the pendency of this proceeding.

RESPONSE

Kentucky Power and Wheeling Power currently are implementing plans to ensure the construction of the CCR project to allow the operation of the Mitchell Generating Station through December 31, 2028.

Kentucky Power Company and Wheeling Power Company are reviewing their alternatives regarding the Mitchell Generating Station in light of the July 15, 2021 decision of this Commission, and the August 4, 2021 decision of the Public Service Commission of West Virginia. No decision regarding a plan for the Mitchell Generating Station beyond that described above has been reached by either Company.

Kentucky Power will file updated status reports every ten days during the pendency of this proceeding.

September 13, 2021 Update

Wheeling Power Company and Appalachian Power Company on September 8, 2021 filed with the Public Service Commission of West Virginia their "Petition to Reopen Case and to Take Further Action" in Case No. 20-1040-E-CN. The petition requests the West Virginia Commission to provide certain confirmations, acknowledgements, and commitments regarding, *inter alia*, the Mitchell Generating Station, in light of the inconsistent orders of the Kentucky and West Virginia commissions regarding the proposed ELG work at the Mitchell Generating Station. The petition further requests that the West Virginia Commission provide the confirmations, acknowledgements, and commitments prior to the October 13, 2021 deadline under the ELG Rule for notifying the West Virginia Department of Environmental Protection concerning the ELG modifications at the Mitchell Generating Station. Finally, Wheeling Power and Appalachian Power Company indicated in the petition that there were matters in need of resolution should West Virginia decide to fully fund the ELG investment and maintain the plant in order to preserve an option to run the Mitchell Generating Station past 2028.

A copy of the petition is attached as KPCO_SR_KPSC_RH_1_1_Attachment1.

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The West Virginia commission by order dated September 9, 2021 established a procedural schedule, and provided for a September 24, 2021 evidentiary hearing, in connection with the petition.

A copy of the September 9, 2021 order is attached as KPCO_SR_KPSC_RH_1_1_Attachment2.

Kentucky Power Company and Wheeling Power Company continue to review their alternatives regarding the Mitchell Generating Station pending action by the West Virginia Commission on the petition. Kentucky Power Company also intends to explore these issues and will work to bring the Commission a recommendation on how to handle the Mitchell operating agreement in a new docket for review.

Kentucky Power will continue to file updated status reports every ten days during the pendency of this proceeding on the status of the West Virginia decision on ELG investment.

September 23, 2021 Update

Wheeling Power Company and Appalachian Power Company on September 20, 2021 filed with the Public Service Commission of West Virginia their Reply in support of their "Petition to Reopen Case and to Take Further Action."

A copy of the Reply is attached as KPCO_SR_KPSC_RH_1_1_Attachment3.

Kentucky Power Company and Wheeling Power Company continue to review their alternatives regarding the Mitchell Generating Station pending action by the West Virginia Commission on the petition. Kentucky Power Company will work to bring the Commission a recommendation on how to handle the Mitchell operating agreement either in Case No. 2021-00370 or in a separate docket.

Kentucky Power will continue to file updated status reports every ten days during the pendency of this proceeding.

October 4, 2021 Update

The Public Service Commission of West Virginia held an evidentiary hearing on September 24, 2021 in Case No. 20-1040-E-CN. The purpose of the hearing was to address the issues raised in Wheeling Power Company and Appalachian Power Company's September 8, 2021 "Petition to Reopen Case and to Take Further Action."

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Kentucky Power Company and Wheeling Power Company continue to review their alternatives regarding the Mitchell Generating Station pending action by the West Virginia Commission on the petition. Kentucky Power Company will work to bring the Commission a recommendation on how to handle the Mitchell operating agreement either in Case No. 2021-00370 or in a separate docket.

Kentucky Power will continue to file updated status reports every ten days during the pendency of this proceeding.

October 13, 2021 Update

On October 12, 2021 the Public Service Commission of West Virginia issued its Order regarding Wheeling Power Company and Appalachian Power Company's September 20, 2021 "Petition to Reopen Case and to Take Further Action" affirming the earlier order that the Companies proceed with ELG at all three plants.

Please see KPCO_SR_KPSC_RH_1_1_Attachment4 which provides a copy of the October 12, 2021 Order and all other documents filed by either Wheeling Power Company or the Public Service Commission of West Virginia in Case No. 20-1040-E-CN since October 2, 2021¹ through October 12, 2021.

Kentucky Power will continue to file updated status reports every ten days during the pendency of this proceeding.

October 25, 2021 Update

Wheeling Power Company is moving forward with CCR/ELG work at the Mitchell Generating Station given the recent action by the West Virginia Commission on the petition. Kentucky Power Company will work to bring the Commission a recommendation on how to handle the Mitchell operating agreement either in Case No. 2021-00370 or in a separate docket. The Company expects to make the operating agreement filing in fourth quarter 2021 and further plans to address through that filing that Kentucky Power will only pay for CCR-related costs associated with the CCR/ELG project.

¹ The Commission Staff's data request 2-6 dated September 17, 2021 sought, as a continuing request, that the Company provide a copy of any documents filed by Wheeling Power or the Public Service Commission of West Virginia in Case No. 20-1040-E-CN and to be provided in the Company's 10-day status reports. The Company's response to 2-6 provided these documents through October 1, 2021.

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Kentucky Power will continue to file updated status reports every ten days during the pendency of this proceeding.

There were no documents filed by either Wheeling Power Company or the Public Service Commission of West Virginia in Case No. 20-1040-E-CN from October 13, 2021 through October 24, 2021.

November 4, 2021 Update

AEP has entered into an agreement to sell its Kentucky operations, which include Kentucky Power and AEP Kentucky Transco, to Liberty Utilities Corp., the regulated utility business of parent company Algonquin Power & Utilities Corporation. Liberty will own and obtain power from Kentucky Power's 50% portion of the Mitchell Plant through 2028. The sale is expected to close in the second quarter of 2022, pending regulatory approvals. The Company expects that an application for Commission approval of the transaction will be made in the fourth quarter 2021.

Kentucky Power Company will work to bring the Commission a recommendation on how to handle the Mitchell operating agreement either in Case No. 2021-00370 or in a separate docket. The Company expects to make the operating agreement filing in the fourth quarter 2021.

Kentucky Power will continue to file updated status reports every ten days during the pendency of this proceeding.

There were no documents filed by either Wheeling Power Company or the Public Service Commission of West Virginia in Case No. 20-1040-E-CN from October 25, 2021 through November 3, 2021.

November 15, 2021 Update

On November 5, 2021, Kentucky Power filed its notice of intent to file an application for approval of affiliate agreements related to the Mitchell Generating Station. The Commission assigned this proceeding Case No. 2021-00421. The Company will file its application before November 30, 2021. A comparable filing will be made at the same time in West Virginia.

Kentucky Power will continue to file updated status reports every ten days during the pendency of this proceeding.

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There were no documents filed by either Wheeling Power Company or the Public Service Commission of West Virginia in Case No. 20-1040-E-CN from November 4, 2021 through November 14, 2021.

November 24, 2021 Update

On November 19, 2021, Kentucky Power filed its application for approval of its proposed Mitchell Plant Operations and Maintenance Agreement and Mitchell Plant Ownership Agreement (collectively the “New Mitchell Agreements”) in Case No. 2021-00421. Please see KPCO_SR_KPSC_1_1_Attachment5 for a copy of the Company’s application, including the supporting testimonies of D. Brett Mattison and Timothy C. Kerns. A comparable filing was made contemporaneously in West Virginia under Case No. 21-0810-E-PC. Please see KPCO_SR_KPSC_1_1_Attachment6 for a copy of this filing.

Additionally, American Electric Power Service Corporation (on behalf of Wheeling Power and Kentucky Power) filed the New Mitchell Agreements and cancellation of Rate Schedules No. 303 (current Mitchell Plant Operating Agreement) with FERC on November 19, 2021. Please see KPCO_SR_KPSC_1_1_Attachment7 for a copy of this filing.

Kentucky Power will continue to file updated status reports every ten days during the pendency of this proceeding.

There were no documents filed by either Wheeling Power Company or the Public Service Commission of West Virginia in Case No. 20-1040-E-CN from November 15, 2021 through November 23, 2021.

December 3, 2021 Update

On November 30, 2021 an informal meeting was held following the hearing in Case No. 2021-00370 to discuss a procedural schedule for Case No. 2021-00421. The Commission entered an Order on December 3, 2021 in Case No. 2021-00421 establishing the procedural schedule for Case No. 2021-00421.

As of December 2, 2021 a procedural schedule has not been established in the comparable filing made in West Virginia (21-0810-E-PC).

Copies of the FERC eLibrary docket for FERC Case No. ER22-453-000 (Kentucky Power Company) and FERC Case No. ER22-452-000 (Wheeling Power Company) are filed as KPCO_SR_KPSC_1_1_Attachment8 and KPCO_SR_KPSC_1_1_Attachment9 respectively.

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Kentucky Power will continue to file updated status reports every ten days during the pendency of this proceeding.

There were no documents filed by either Wheeling Power Company or the Public Service Commission of West Virginia in Case No. 20-1040-E-CN during the period November 24, 2021 through December 2, 2021.

December 13, 2021 Update

On December 13, 2021, the Commission established a hearing date in Case No. 2021-00421. The hearing is to be held on March 1, 2022 through March 3, 2022.

As of December 12, 2021 a procedural schedule has not been established in the comparable filing made in West Virginia (21-0810-E-PC).

Copies of the FERC eLibrary docket for FERC Case No. ER22-453-000 (Kentucky Power Company) and FERC Case No. ER22-452-000 (Wheeling Power Company) are filed as KPCO_SR_KPSC_1_1_Attachment10 and KPCO_SR_KPSC_1_1_Attachment11 respectively.

Kentucky Power will continue to file updated status reports every ten days during the pendency of this proceeding.

There were no documents filed by either Wheeling Power Company or the Public Service Commission of West Virginia in Case No. 20-1040-E-CN during the period December 3, 2021 through December 12, 2021.

December 22, 2021 Update

The Company will be filing its responses to the first set of discovery requests in Case No. 2021-00421 today.

As of December 21, 2021 a procedural schedule has not been established in the comparable filing made in West Virginia (21-0810-E-PC).

Copies of the FERC eLibrary docket for FERC Case No. ER22-453-000 (Kentucky Power Company) and FERC Case No. ER22-452-000 (Wheeling Power Company) are filed as KPCO_SR_KPSC_1_1_Attachment12 and KPCO_SR_KPSC_1_1_Attachment13 respectively.

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Kentucky Power will continue to file updated status reports every ten days during the pendency of this proceeding.

There were no documents filed by either Wheeling Power Company or the Public Service Commission of West Virginia in Case No. 20-1040-E-CN during the period December 13, 2021 through December 21, 2021.

January 3, 2022

There were no documents filed by either Wheeling Power Company or the Public Service Commission of West Virginia in Case No. 20-1040-E-CN during the period December 22, 2021 through December 31, 2021.

On December 22, 2021 the Staff of the Public Service Commission of West Virginia issued its initial memorandum and first set of data requests in Case No. 21-0810-E-PC. The proceeding seeks approval of the Mitchell Plant Operations and Maintenance Agreement and the Mitchell Plant Ownership Agreement. Copies of the filed memo and the data requests are attached as KPCO_SR_KPSC_1_1_Attachment14 and KPCO_SR_KPSC_1_1_Attachment15 respectively. As of December 29, 2021 a procedural schedule has not be established in Case 21-0810-E-PC.

Copies of the FERC eLibrary docket for FERC Case No. ER22-453-000 (Kentucky Power Company) and FERC Case No. ER22-452-000 (Wheeling Power Company) are filed as KPCO_SR_KPSC_1_1_Attachment16 and KPCO_SR_KPSC_1_1_Attachment17 respectively.

January 13, 2022

There were no documents filed by either Wheeling Power Company or the Public Service Commission of West Virginia in Case No. 20-1040-E-CN during the period January 1, 2022 through January 12, 2022.

Responses to the Staff of the Public Service Commission of West Virginia's first set of data requests in Case No. 21-0810-E-PC were filed on January 11, 2022. A copy of these responses is attached as KPCO_SR_KPSC_1_1_Attachment18. As of December 29, 2021 a procedural schedule has not be established in Case 21-0810-E-PC.

Copies of the FERC eLibrary docket for FERC Case No. ER22-453-000 (Kentucky Power Company) and FERC Case No. ER22-452-000 (Wheeling Power Company) are filed as KPCO_SR_KPSC_1_1_Attachment19 and KPCO_SR_KPSC_1_1_Attachment20 respectively.

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January 24, 2022

There were no documents filed by either Wheeling Power Company or the Public Service Commission of West Virginia in Case No. 20-1040-E-CN during the period January 13, 2022 through January 23, 2022.

A proposed procedural schedule was filed by West Virginia Staff in Case No. 21-0810-E-PC on January 14, 2022. On January 20, 2022 the "Objections of Appalachian Power Company and Wheeling Power Company to the Consumer Advocate Division's First Request for Information" were filed. A copy of these documents are attached as KPCO_SR_KPSC_1_1_Attachment21 and KPCO_SR_KPSC_1_1_Attachment22.

Copies of the FERC eLibrary docket for FERC Case No. ER22-453-000 (Kentucky Power Company) and FERC Case No. ER22-452-000 (Wheeling Power Company) beginning November 24, 2021 are filed as KPCO_SR_KPSC_1_1_Attachment23 and KPCO_SR_KPSC_1_1_Attachment24 respectively.

February 3, 2022

There were no documents filed by either Wheeling Power Company or the Public Service Commission of West Virginia in Case No. 20-1040-E-CN during the period January 24, 2022 through February 2, 2022.

The West Virginia Commission's procedural order in Case No. 21-0810-E-PC was entered on January 25, 2022. Appalachian Power Company's and Wheeling Power Company's responses to the Consumer Advocate Division and the West Virginia Energy Users Group first data requests were filed on January 26, 2022. A copy of these documents are attached as KPCO_SR_KPSC_1_1_Attachment25 through KPCO_SR_KPSC_1_1_Attachment27.

Copies of the FERC eLibrary docket for FERC Case No. ER22-453-000 (Kentucky Power Company) and FERC Case No. ER22-452-000 (Wheeling Power Company) beginning December 4, 2021 are filed as KPCO_SR_KPSC_1_1_Attachment28 and KPCO_SR_KPSC_1_1_Attachment29 respectively.

Witness: Deryle B. Mattison

**PUBLIC SERVICE COMMISSION
OF WEST VIRGINIA
CHARLESTON**

At a session of the PUBLIC SERVICE COMMISSION OF WEST VIRGINIA in the City of Charleston on the 25th day of January 2022.

CASE NO. 21-0810-E-PC

APPALACHIAN POWER COMPANY and
WHEELING POWER COMPANY,
public utilities.

Petition for consent and approval to enter into Ownership and Operating Agreements for the Mitchell Plant.

COMMISSION ORDER

The Commission grants (i) a request to waive the filing of certain financial information; (ii) two petitions to intervene; and (iii) a proposed procedural schedule. The Commission also requires publication of a notice of filing and hearing.

BACKGROUND

On November 19, 2021, Appalachian Power Company (APCo) and Wheeling Power Company (WPCo) (together, Companies) filed a petition (Petition) for consent and approval to enter into Ownership and Operating Agreements for the Mitchell Plant. As a part of that Petition, the Companies requested exemption from the requirement to provide the financial information specified in Rule 21 of the Commission Rules of Practice and Procedure (Procedural Rules), 150 C.S.R. 1. Petition at 2.

On December 9, 2021, the West Virginia Energy Users Group (WVEUG)¹ filed a Petition to Intervene. WVEUG argued that it is comprised of several energy-intensive industrial customers receiving electric service from the Companies and which may be affected by the Commission decision in this case. WVEUG stated that it was an active participant in several cases pertaining to this case including (i) Case No. 12-1655-E-PC (the asset transfer proceeding); (ii) Case No. 14-0546-E-PC (the Mitchell settlement); (iii) Case No. 19-0564-E-T (Mitchell Surcharge Settlement); (iv) Case No. 20-1040-E-CN (environmental compliance surcharge).

¹ For purposes of this case, WVEUG members include The Chemours Company, LLC, Constellium Rolled Products Ravenswood, LLC, Eagle Natrium (Westlake), Marathon Petroleum Company LP (MarkWest), and WVA Manufacturing, LLC.

On December 10, 2021, the Consumer Advocate Division (CAD) filed a Petition to Intervene. The CAD is required to represent the interests of residential ratepayers in utility proceedings that may affect the electric rates of residential customers.

On January 14, 2022, Commission Staff filed, on behalf of the parties in this case, a proposed procedural schedule.

DISCUSSION

The Companies financial information is known to the Commission and, therefore, the Commission will not require the Companies to file information required in the Petition by Procedural Rule 21.

Pursuant to Procedural Rule 12.6 any person having a legal interest in the subject matter of a pending proceeding may petition to intervene. WVEUG and CAD each stated a legal interest in this matter. No objections were filed to either petition to intervene. The Commission will grant intervenor status to WVEUG and CAD.

Staff filed a procedural schedule to which all parties agreed. The Commission will adopt that procedural schedule. Because this case may affect future rates, the Commission will require the publication of notice of the Petition and an evidentiary hearing.

FINDINGS OF FACT

1. The Commission is aware of the financial condition of the Companies.
2. No party objected to WVEUG's request to intervene. See file generally.
3. No party objected to CAD's request to intervene. See file generally.
4. Staff provided on behalf of all parties a proposed procedural schedule.

CONCLUSIONS OF LAW

1. Because the financial information of the Companies is known to the Commission, the Commission should waive the filing requirements of Procedural Rule 21.

2. WVEUG has a legal interest in the outcome of this proceeding. Procedural Rule 12.6.

3. CAD has a legal interest in the outcome of this proceeding. Procedural Rule 12.6.

4. The Commission should adopt the proposed procedural schedule.

ORDER

IT IS THEREFORE ORDERED that the filing requirements of Procedural Rule 21 are waived.

IT IS FURTHER ORDERED that the Commission adopts the following procedural schedule:

Direct Testimony of Companies	Filed November 19, 2021
Direct Testimony of Staff and Intervenors, including Rebuttal to Companies' Direct Testimony	4:00 p.m., March 17, 2022
Rebuttal Testimony of Companies and Other Parties to any Direct Testimony filed on March 17, 2022	4:00 p.m., March 31, 2022
Agreed Order of Witnesses	4:00 p.m., April 4, 2022
Evidentiary Hearing	April 7, 2022 (begin at 9:30am) Howard M. Cunningham Hearing Room Public Service Commission Headquarters 201 Brooks Street Charleston, West Virginia

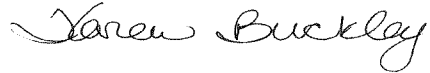
IT IS FURTHER ORDERED that West Virginia Energy Users Group's Motion to Intervene is granted.

IT IS FURTHER ORDERED that Consumer Advocate Division's Motion to Intervene is granted.

IT IS FURTHER ORDERED that Appalachian Power Company and Wheeling Power Company publish the notice attached as Attachment A to this Order once as soon as possible in the daily newspapers published and of general circulation in the counties in which the Companies provide service, and in the daily, statewide newspaper published in Charleston, making due return to this Commission of proper certification of publication immediately after publication.

IT IS FURTHER ORDERED that the Executive Secretary of the Commission serve a copy of this Order by electronic service on all parties of record who have filed an e-service agreement, by United States First Class Mail on all parties of record who have not filed an e-service agreement, and on Staff by hand delivery.

FOR THE COMMISSION:



Karen Buckley, Acting Executive Secretary

SMS/pb
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**PUBLIC SERVICE COMMISSION
OF WEST VIRGINIA
CHARLESTON**

CASE NO. 21-0810-E-PC

APPALACHIAN POWER COMPANY and
WHEELING POWER COMPANY,
public utilities.

Petition for consent and approval to enter into Ownership and Operating
Agreements for the Mitchell Plant.

NOTICE OF FILING AND HEARING

On November 19, 2021, Appalachian Power Company and Wheeling Power Company (WPCo) (together, Companies) filed a petition (Petition) for consent and approval to enter into a new Mitchell Plant Ownership Agreement and new Mitchell Plant Operating Agreement with respect to the Mitchell Plant, a power plant located in Moundsville, West Virginia. WPCO currently owns a fifty percent undivided ownership interest in the Mitchell Plant. The Companies are not requesting a rate increase at this time, however, a change in ownership or operation of the Mitchell Plant could affect rates in the future.

The Commission set a procedural schedule in this case, including an evidentiary hearing to be held on April 7, 2022. The hearing will begin at 9:30 a.m. in the Howard M. Cunningham Hearing Room at the Commission's offices at 201 Brooks Street, Charleston, West Virginia.

Anyone desiring to intervene and act as a party in this case should file a Petition to Intervene within ten days following the date of this publication, complying with the rules on intervention set forth in the Commission's Rules of Practice and Procedure. Anyone desiring to protest should file a written protest as soon as possible although protests will be accepted throughout the pendency of this proceeding. All written protests should briefly state the reason for the protest. All protests and Petitions to Intervene should state the case name and number and be addressed to Karen Buckley, Acting Executive Secretary, P.O. Box 812, Charleston, West Virginia 25323.

**APPALACHIAN POWER COMPANY and
WHEELING POWER COMPANY**



An **AEP** Company

BOUNDLESS ENERGY™

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January 26, 2022

Via Electronic Mail

Karen Buckley
Acting Executive Secretary
Public Service Commission of West Virginia
201 Brooks St.
Charleston, WV 25301

02:38 PM JAN 26 2022 EXEC SEC DIV

Re: Case No. 21-0810-E-PC
Appalachian Power Company and Wheeling Power Company
*Petition for Commission Consent and Approval to Enter into Ownership and
Operating Agreements for the Mitchell Plant*

Dear Ms. Buckley:

Please find enclosed for filing in the above-referenced matter the Responses of Appalachian Power Company and Wheeling Power Company to CAD's First Data Request. On this date, copies thereof were served in accordance with the Certificate of Service.

This filing is made via electronic mail in accordance with the Commission's General Order No. 262.3 *Regarding Processing of Cases During COVID-19 West Virginia State of Emergency.*

Thank you for your attention to this matter. Should you have any questions regarding this correspondence, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Keith D. Fisher".

Keith D. Fisher (WV State Bar #11346)
*Counsel for Appalachian Power Company
and Wheeling Power Company*

Enclosure

cc: Certificate of Service

**PUBLIC SERVICE COMMISSION
OF WEST VIRGINIA
CHARLESTON**

CASE NO. 21-0810-E-PC

**APPALACHIAN POWER COMPANY and
WHEELING POWER COMPANY,**
public utilities.

*Petition for Commission Consent and Approval
to Enter into Ownership and Operating Agreements
for the Mitchell Plant*

**RESPONSES OF APPALACHIAN POWER COMPANY AND
WHEELING POWER COMPANY TO CAD'S FIRST DATA REQUEST**

Appalachian Power Company (“APCo”) and Wheeling Power Company (“WPCo”) (together, “the Companies”) file the following as their Responses to CAD’s First Data Request in the above-referenced matter:

**APPALACHIAN POWER COMPANY &
WHEELING POWER COMPANY
WEST VIRGINIA CASE NO. 21-0810-E-PC
CAD Set 1**

Request CAD 1-01

Please provide copies of all data requests and responses to date and an on-going basis.

Response CAD 1-01

Copies of the Companies' responses to all other data requests the Companies have served in this proceeding will be provided when such responses are made to the requesting party, provided that additional arrangements may be required in individual instances involving voluminous or confidential documents.

**APPALACHIAN POWER COMPANY &
WHEELING POWER COMPANY
WEST VIRGINIA CASE NO. 21-0810-E-PC
CAD Set 1**

Request CAD 1-02

Please provide all spreadsheets in Excel format with respect to the Companies' Petition and Pre-Filed Direct Testimony.

Response CAD 1-02

None.

**APPALACHIAN POWER COMPANY &
WHEELING POWER COMPANY
WEST VIRGINIA CASE NO. 21-0810-E-PC
CAD Set 1**

Request CAD 1-03

Please produce the Purchase and Sale Agreement between Algonquin Power & Utilities Corporation subsidiary Liberty Utilities Company (Liberty) and American Electric Power (AEP) for the sale and purchase of Kentucky Power, including any related agreements.

Response CAD 1-03

The requested Stock Purchase Agreement ("SPA") is extremely voluminous, at 933 pages. The public version of the document is publicly available, included as Exhibit 5 to the Joint Application filed with the Kentucky Public Service Commission in Case No. 2021-00481, and can be accessed at the following location: https://psc.ky.gov/pscecf/2021-00481/tosterloh%40sturgillturner.com/01042022032006/KPSC_Application.pdf

**APPALACHIAN POWER COMPANY &
WHEELING POWER COMPANY
WEST VIRGINIA CASE NO. 21-0810-E-PC
CAD Set 1**

Request CAD 1-04

Please produce the Confidential Information Memorandum or its equivalent put forward by Barclays, Goldman Sachs and Co., and/or others who served as AEP's financial and strategic advisors related to the sale of Kentucky Power.

Response CAD 1-04

The Companies filed an objection to this question on January 20, 2022.

**APPALACHIAN POWER COMPANY &
WHEELING POWER COMPANY
WEST VIRGINIA CASE NO. 21-0810-E-PC
CAD Set 1**

Request CAD 1-05

Please produce all information provided to AEP by Algonquin Power & Utilities Corporation subsidiary Liberty Utilities Company or others related to Liberty's plans for Kentucky Power and Mitchell if it were successful in the acquisition, including any conditions related to Mitchell included in its offer.

Response CAD 1-05

The Companies filed an objection to this request on January 20, 2022. Without waiving that objection, the Companies respond as follows:

The SPA between AEP and Liberty Utilities (see response to CAD 1-03) and the new Mitchell Ownership Agreement and Mitchell O&M Agreement reflect the plans for both parties, including Liberty's plans for Mitchell. Specifically, the SPA states that:

- Kentucky Power and Wheeling Power will take the actions necessary to obtain the regulatory approvals of the Mitchell Ownership Agreement and Mitchell O&M Agreement;
- The new Mitchell Ownership Agreement and Mitchell O&M Agreement must receive all regulatory approvals and be signed by Kentucky Power and Wheeling Power as necessary conditions to closing the sale of Kentucky Power; and
- The new Mitchell Ownership Agreement and Mitchell O&M Agreement are exhibits to the SPA and contain what AEP and Liberty have agreed to regarding Mitchell including operations and cost allocations.

**APPALACHIAN POWER COMPANY &
WHEELING POWER COMPANY
WEST VIRGINIA CASE NO. 21-0810-E-PC
CAD Set 1**

Request CAD 1-06

Please explain the impact of the sale of Kentucky Power to Liberty as it relates to the Connor Run Impoundment and indemnification arising therefrom.

Response CAD 1-06

Currently, Kentucky Power is responsible for 50% of the Conner Run obligation. This obligation would continue unless the Kentucky Power 50% ownership of Mitchell is transferred to Wheeling Power. A transfer is discussed in ARTICLE 9 of the proposed Mitchell Ownership Agreement. In that agreement, the definition of "Mitchell Plant" specifically notes that it "shall mean the Mitchell Power Generation Facility, which consists of the Units and associated plant, equipment, real estate and other related facilities, located in Moundsville, West Virginia, but excluding the real property and operation known as the Conner Run Fly Ash Impoundment and Dam." Therefore any transfer of Mitchell Plant to Wheeling Power excludes Conner Run.

It is stated in the SPA between Liberty Utilities and AEP that "Concurrently with, and conditioned upon, the closing of any sale, assignment, transfer or conveyance of the Mitchell Interest to Wheeling in accordance with the Mitchell Plant Ownership Agreement, Sellers shall cause AEP Generation Resources Inc. to enter into an indemnity agreement for the benefit of Kentucky Power on the terms described on Section 4.20(e) of the Sellers Disclosure Letter." In summary, AEP Generation Resources would indemnify Kentucky Power for Conner Run Environmental Claims as defined in the agreement after a transfer of Mitchell Ownership to Wheeling Power.

Specifically, Section 4.20(e) of the Sellers Disclosure Letter states:

Section 4.20(e)

Conner Run Indemnity

On and after the closing of any sale, assignment, transfer or conveyance of the Mitchell Interest to Wheeling in accordance with the Mitchell Plant Ownership Agreement (a "**Mitchell Interest Buyout Transaction Closing**"), AEP Generation Resources Inc. ("**AEPGR**") shall indemnify, defend and hold harmless Kentucky Power from and against any and all Losses to the extent arising out of or resulting from any Environmental Claims, whether arising prior to, on or after the Mitchell Interest Buyout Transaction Closing, relating to or arising from Conner Run, excluding any Losses for the funding of costs by Kentucky Power under Section VI of the Joint Use Operating Agreement to the extent that AEPGR is separately funding 50% of the total costs giving rise to such funding by Kentucky Power on a pari passu basis with Kentucky Power.

In the event that a Mitchell Interest Buyout Transaction Closing does not occur for any reason, including as a result of an Early Retirement Event (as defined in the Mitchell Plant Ownership Agreement), AEPGR shall not be obligated to enter into the indemnity agreement described herein.

**PUBLIC SERVICE COMMISSION
OF WEST VIRGINIA
CHARLESTON**

CASE NO. 21-0810-E-PC

**APPALACHIAN POWER COMPANY and
WHEELING POWER COMPANY,**
public utilities.

*Petition for Commission Consent and Approval
to Enter into Ownership and Operating Agreements
for the Mitchell Plant*

CERTIFICATE OF SERVICE

I, Keith D. Fisher, counsel for Appalachian Power Company and Wheeling Power Company, do hereby certify that a true and correct copy of the foregoing “Responses of Appalachian Power Company and Wheeling Power Company to CAD’s First Data Request” was served upon the following, via electronic mail, on this 26th day of January, 2022:

Lucas R. Head, Esq. Public Service Commission of West Virginia 201 Brooks Street Charleston, WV 25301 <i>Counsel for Staff of WV Public Service Commission</i>	Robert F. Williams, Esq. Heather B. Osborn, Esq. John Auville, Esq. Consumer Advocate Division 300 Capitol Street, Suite 810 Charleston, WV 25301 <i>Counsel for Consumer Advocate Division</i>
Susan J. Riggs, Esq. Jason C. Pizatella, Esq. Spilman Thomas & Battle, PLLC 300 Kanawha Blvd E Charleston, WV 25301 <i>Counsel for WVEUG</i>	Derrick P. Williamson, Esq. Barry A. Naum, Esq. Spilman Thomas & Battle, PLLC 1100 Bent Creek Blvd, Suite 101 Mechanicsburg, PA 17050 <i>Counsel for WVEUG</i>



Keith D. Fisher (WV State Bar #11346)



An **AEP** Company

BOUNDLESS ENERGY

Keith D. Fisher
Senior Counsel

500 Lee Street East, Suite 800
Charleston, WV 25301
304.348.4154
kdfisher@aep.com

January 26, 2022

Via Electronic Mail

Karen Buckley
Acting Executive Secretary
Public Service Commission of West Virginia
201 Brooks St.
Charleston, WV 25301

02:42 PM JAN 26 2022 EXEC SEC DIV

Re: Case No. 21-0810-E-PC
Appalachian Power Company and Wheeling Power Company
Petition for Commission Consent and Approval to Enter into Ownership and Operating Agreements for the Mitchell Plant

Dear Ms. Buckley:

Please find enclosed for filing in the above-referenced matter the Responses of Appalachian Power Company and Wheeling Power Company to WVEUG's First Data Request. On this date, copies thereof were served in accordance with the Certificate of Service.

This filing is made via electronic mail in accordance with the Commission's General Order No. 262.3 *Regarding Processing of Cases During COVID-19 West Virginia State of Emergency*.

Thank you for your attention to this matter. Should you have any questions regarding this correspondence, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Keith D. Fisher". The signature is written in a cursive style with a large, stylized "K" and "F".

Keith D. Fisher (WV State Bar #11346)
*Counsel for Appalachian Power Company
and Wheeling Power Company*

Enclosure

cc: Certificate of Service

**PUBLIC SERVICE COMMISSION
OF WEST VIRGINIA
CHARLESTON**

CASE NO. 21-0810-E-PC

**APPALACHIAN POWER COMPANY and
WHEELING POWER COMPANY,**
public utilities.

*Petition for Commission Consent and Approval
to Enter into Ownership and Operating Agreements
for the Mitchell Plant*

**RESPONSES OF APPALACHIAN POWER COMPANY AND
WHEELING POWER COMPANY TO WVEUG'S FIRST DATA REQUEST**

Appalachian Power Company ("APCo") and Wheeling Power Company ("WPCo") (together, "the Companies") file the following as their Responses to WVEUG's First Data Request in the above-referenced matter:

**APPALACHIAN POWER COMPANY &
WHEELING POWER COMPANY
WEST VIRGINIA CASE NO. 21-0810-E-PC
WVEUG Set 1**

Request WVEUG 1-01

Please identify the sponsoring witness for each subsequent response provided by the Companies.

Response WVEUG 1-01

1. N/A
2. N/A
3. N/A
4. Chris Beam is a witness who could address the subject matter of this discovery request.
5. Chris Beam is a witness who could address the subject matter of this discovery request.
6. Chris Beam is a witness who could address the subject matter of this discovery request.
7. There is no "sponsoring witness" to address the subject matter of this discovery request, as it seeks information of a legal, as opposed to factual, nature.
8. Chris Beam is a witness who could address the subject matter of this discovery request.
9. The Company has not yet determined a witness who could address the subject matter of this discovery request.
10. Chris Beam is a witness who could address the subject matter of this discovery request.

**APPALACHIAN POWER COMPANY &
WHEELING POWER COMPANY
WEST VIRGINIA CASE NO. 21-0810-E-PC
WVEUG Set 1**

Request WVEUG 1-02

Please provide a copy of all responses that have been made to date, and all responses that are made from this date forward, on behalf of the Companies, their affiliates, or their parent company, to interrogatories or data requests served upon the Companies or any of their affiliates or their parent company in the above-referenced proceeding.

Response WVEUG 1-02

Copies of the Companies' responses to all other data requests the Companies have served in this proceeding will be provided when such responses are made to the requesting party, provided that additional arrangements may be required in individual instances involving voluminous or confidential documents.

**APPALACHIAN POWER COMPANY &
WHEELING POWER COMPANY
WEST VIRGINIA CASE NO. 21-0810-E-PC
WVEUG Set 1**

Request WVEUG 1-03

Please provide all workpapers, in electronic spreadsheet format with formulas intact, where available, supporting each of the figures, tables, and exhibits accompanying the Companies' filing and supporting testimony.

Response WVEUG 1-03

None.

**APPALACHIAN POWER COMPANY &
WHEELING POWER COMPANY
WEST VIRGINIA CASE NO. 21-0810-E-PC
WVEUG Set 1**

Request WVEUG 1-04

Please reference the Direct Testimony of Christian T. Beam, p. 3, line 7 and p. 5, lines 7- 9. Please identify specifically, with case citations, the referenced Federal Energy Regulatory Commission ("FERC") and Kentucky Public Service Commission ("KY PSC") proceedings and the current procedural status of each such case, and the anticipated date of resolution for each such case.

Response WVEUG 1-04

Case No. 2021-00421 before the Kentucky Public Service Commission, titled ELECTRONIC APPLICATION OF KENTUCKY POWER COMPANY FOR APPROVAL OF AFFILIATE AGREEMENTS RELATED TO THE MITCHELL GENERATING STATION. Kentucky Power's rebuttal testimony is due to be filed on February 9, 2022. A hearing is scheduled for March 1 through March 3, 2022.

Docket No. ER22-452-000 before the Federal Energy Regulatory Commission ("FERC"), titled Wheeling Power Company submits tariff filing per 35.13(a)(2)(iii): New Mitchell Plant Agreements: Ownership; Operation and Maintenance to be effective 1/19/2022 under ER22-452. The matter is currently pending before FERC and an Order has been requested to be effective as of March 18, 2022.

Docket No. ER22-453-000 before the FERC, titled Kentucky Power Company submits tariff filing per 35.13(a)(2)(iii): New Mitchell Plant Agreements Concurrence to be effective 1/19/2022 under ER22-453 . The matter is currently pending before FERC and an Order has been requested to be effective as of March 18, 2022.

**APPALACHIAN POWER COMPANY &
WHEELING POWER COMPANY
WEST VIRGINIA CASE NO. 21-0810-E-PC
WVEUG Set 1**

Request WVEUG 1-05

Please reference the Direct Testimony of Christian T. Beam, p. 12, lines 12-14, n. 4. Please provide a complete copy of the Liberty Utilities agreement as referenced.

Response WVEUG 1-05

The referenced portion of witness Beam's testimony references the New Mitchell Agreements, which were provided as Company Exhibits CTB-D2 and CTB-D3 with the Companies' filing. With respect to any "agreement" that Liberty Utilities has made regarding the New Mitchell Agreements, the Companies would note that approval of those agreements is a closing condition of the sale of Kentucky Power Company to Liberty. While there is no explicit documentation of the "agreement" that Liberty has made, such "agreement" is clearly signaled given approval of the New Mitchell Agreements is a condition of closing the sale.

Also see the Companies' response to CAD 1-05.

**APPALACHIAN POWER COMPANY &
WHEELING POWER COMPANY
WEST VIRGINIA CASE NO. 21-0810-E-PC
WVEUG Set 1**

Request WVEUG 1-06

Please reference the Direct Testimony of Christian T. Beam, p. 13, line 22 to p. 14, line 3.

- a. Please specify each "permit" referenced herein and each relevant deadline by date.
- b. Please specify, with appropriate dates, each and every other time sensitive deadline contemplated by this assertion.

Response WVEUG 1-06

- a. See WVEUG 1-06 Attachment 1 for a list of permits.
- b. As described in Paragraph 21 and Footnote 2 in the Companies' Petition in this proceeding, transfer of the permits is one of several activities needed to ensure that environmental compliance activities at the Mitchell Plant, including ordering of equipment and materials, are timely to enable the physical ELG work to be completed by Wheeling Power by the necessary permit deadlines. The timing for the permit transfers is also driven by the Kentucky Public Service Commission's directive that the transfer of the permits and the related transfer of operating responsibilities to Wheeling Power be accomplished promptly.

Mitchell Plant Environmental Permits to be Transferred or Updated

Permit / License	Number	Permit Date	Agency	Due Date for Transfer/Update
Minor NSR Permit	R13-2608E	5/12/2014	WVDEP	At least 30 days prior to ownership transfer (Same letter and Class II General Air Permit)
Title IV Acid Rain Permit	R33-3948-2022-5A	3/12/2019	WVDEP	Anytime prior to transfer of ownership, as long as a specific transfer date is indicated. (Same letter as Title V)
Title V Permit	R30-05100005-2019	12/8/2020	WVDEP	Anytime prior to transfer of ownership, as long as a specific transfer date is indicated. (Same letter as Title IV)
Class II General Air Permit	G60-C057A	8/8/2014	WVDEP	At least 30 days prior to ownership transfer ((Same letter as Minor Air Permit)
Certificate to Operate			WVDEP	At least 30 days prior to ownership transfer
Title IV Cert of Representation			USEPA	N/A
GHG Cert of Representation			USEPA	Within 90 days of change in ownership.
NPDES (Plant)	WV0005304	12/30/2010	WVDEP	30 days prior to ownership transfer
NPDES/Solid Waste Permit (Landfill)	WV0116742	5/29/2013	WVDEP	30 days prior to ownership transfer
RCRA Hazardous Waste ID#	WVD-988-554- 943		WVDEP	The application processing time is up to 10 business days
Mitchell - Drinking Water	WV9925015		WV DHHR	30 days prior to ownership transfer
Barge Mooring Capacity	94007	3/9/1994	USACE	30 days prior to ownership transfer
Maintenance Dredging Permit	200300265	8/18/2003	USACE	30 days prior to ownership transfer
Barge Mooring & Fleeting	200501038	7/28/2005	USACE	30 days prior to ownership transfer
Intake Structure		4/9/1968	USACE	30 days prior to ownership transfer
Coal Unloading Dock Extension	760321	10/13/1978	USACE	30 days prior to ownership transfer
404 Permit Landfill Expansion	2011-1499	12/5/2016	USACE	30 days prior to ownership transfer
Barge Mooring Facility	200501351	11/17/2005	USACE	30 days prior to ownership transfer

**Mitchell Plant
Environmental Permits to be Transferred or Updated**

Permit / License	Number	Permit Date	Agency	Due Date for Transfer/Update
404 NW Permit (ML DFA)	2011-940	1/20/2012	USACE	30 days prior to ownership transfer
Maintenance Dredging Permit	2003-265	1/31/2014	USACE	30 days prior to ownership transfer
Individual 404 Permit (LF/HR)	2011-1499	3/4/2013	USACE	30 days prior to ownership transfer
Plant Construction	69-36	5/16/1969	USACE	30 days prior to ownership transfer
Coal Unloading Dock	4600	2/8/1971	USACE	30 days prior to ownership transfer
401 Water Quality Certification	WQC160006	3/30/2017	WVDEP	30 days prior to ownership transfer
DNR Right of Entry Permit	R-124/25-1247	11/2/2012	WVDNR	30 days prior to ownership transfer
DNR Right of Entry Permit	L-054/25-1613	1/23/2006	WVDNR	30 days prior to ownership transfer
DNR Right of Entry Permit	LS-15-I/25-1696	12/2/2015	WVDNR	30 days prior to ownership transfer
401 Water Quality Certification	WQC120011	1/10/2013	WVDEP	30 days prior to ownership transfer
Sewage Tank Permit	SHT-99-13-017		WVDHHR	Resubmit the application per WVDHHR once we have a date when transfer to Wheeling Power

**APPALACHIAN POWER COMPANY &
WHEELING POWER COMPANY
WEST VIRGINIA CASE NO. 21-0810-E-PC
WVEUG Set 1**

Request WVEUG 1-07

Please reference the Direct Testimony of Christian T. Beam, Exhibit CTB-D2, Section 14.15, and Exhibit CTB-D3, Section 13.3. Please explain why the new agreements are subject to New York law instead of West Virginia law.

Response WVEUG 1-07

New York law is frequently chosen by parties to commercial contracts when they are from different states, as is the case with the parties to the new Mitchell Agreements, in order to avoid potential future disputes over which state's law applies. There are several reasons parties may choose New York law in these circumstances. New York courts have developed a robust body of commercial law that parties can draw from to interpret contracts and resolve disputes, and which also brings more predictability to legal outcomes. Accordingly, New York law is often viewed as providing a neutral, well-developed choice. New York's choice of law rules are also structured to avoid disputes between parties regarding which body of law governs (e.g., Kentucky or West Virginia) that could make issues more difficult and expensive to resolve.

**APPALACHIAN POWER COMPANY &
WHEELING POWER COMPANY
WEST VIRGINIA CASE NO. 21-0810-E-PC
WVEUG Set 1**

Request WVEUG 1-08

Please reference the Petition at p. 4, n. 1.

- a. As referenced, has APCo filed a case with the Virginia State Corporation Commission seeking recovery of "ELG" costs at Amos and Mountaineer?
- b. If so, please provide a case number and link to the filing.

Response WVEUG 1-08

- a. No. As of January 26, 2022, APCo has not yet filed such a case before the Virginia SCC. APCo intends to make such a filing in the first quarter of 2022.
- b. Not applicable.

**APPALACHIAN POWER COMPANY &
WHEELING POWER COMPANY
WEST VIRGINIA CASE NO. 21-0810-E-PC
WVEUG Set 1**

Request WVEUG 1-09

Please reference the Petition, ¶ 26.

- a. Is the referenced "Buyout Transaction" necessary for the continued operation of the Mitchell Plant?
- b. If yes, please explain.

Response WVEUG 1-09

- a. Yes, that is the Companies' understanding.
- b. The buyout provision was provided as a means to implement the West Virginia and Kentucky orders on CCR and ELG investment. The Kentucky Public Service Commission has elected to not move forward with Effluent Limitation Guidelines ("ELG") investments necessary to allow the Mitchell Plant to operate beyond December 31, 2028, for Kentucky customers. As such, Kentucky Power will not participate in the operation of the Mitchell Plant beyond that date. In contrast, the Public Service Commission of West Virginia ordered Wheeling Power Company ("Wheeling") to make the ELG investments and ensure that the benefits of keeping the Mitchell Plant open past 2028 is limited to West Virginia customers. Given that election, and regulatory Orders requiring Kentucky Power and Wheeling to seek approval of a new Operating Agreement in a prompt fashion, it is the Companies' understanding that the Buyout Transaction provides clarity that Wheeling can operate the Mitchell Plant beyond December 31, 2028 in accordance with the West Virginia order.

**APPALACHIAN POWER COMPANY &
WHEELING POWER COMPANY
WEST VIRGINIA CASE NO. 21-0810-E-PC
WVEUG Set 1**

Request WVEUG 1-10

Please reference the Direct Testimony of Christian T. Beam, p. 11, lines 9-15, and Exhibit CTB-D3, Section 9.6.

- a. Please explain whether a buy-out of Kentucky Power Company's ("KPCo") 50% share of the Mitchell Plant is optional for WPCo, and if so under what circumstances.
- b. Please explain whether, based on current information, WPCo has a capacity need for KPCo's 50% share of the Mitchell Plant.
- c. Please explain whether costs associated with the Buyout Transaction and full ownership of the Mitchell Plant will be recovered from the Companies' ratepayers.

Response WVEUG 1-10

- a. Yes. As described on Page 11, lines 13-15 of witness Beam's testimony: "... the option to acquire ownership of the Mitchell Plant will allow WPCo in the future to obtain ownership of the entire Mitchell Plant if WPCo decides to continue to operate the Mitchell Plant beyond 2028." Such determination will be made by Wheeling Power Company at a point in the future that aligns with the requirements of the New Mitchell Agreements.
- b. WPCo filed its most recent Integrated Resource Plan in December 2020 with this Commission. At that time, no analysis was performed regarding the need for KPCo's 50% share of the Mitchell Plant after December 31, 2028.
- c. The Companies would seek to recover from customers all prudently-incurred costs associated with the Buyout Transaction and full ownership of the Mitchell Plant.

**PUBLIC SERVICE COMMISSION
OF WEST VIRGINIA
CHARLESTON**

CASE NO. 21-0810-E-PC

**APPALACHIAN POWER COMPANY and
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*Petition for Commission Consent and Approval
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CERTIFICATE OF SERVICE

I, Keith D. Fisher, counsel for Appalachian Power Company and Wheeling Power Company, do hereby certify that a true and correct copy of the foregoing “Responses of Appalachian Power Company and Wheeling Power Company to WVEUG’s First Data Request” was served upon the following, via electronic mail, on this 26th day of January, 2022:

Lucas R. Head, Esq. Public Service Commission of West Virginia 201 Brooks Street Charleston, WV 25301 <i>Counsel for Staff of WV Public Service Commission</i>	Robert F. Williams, Esq. Heather B. Osborn, Esq. John Auville, Esq. Consumer Advocate Division 300 Capitol Street, Suite 810 Charleston, WV 25301 <i>Counsel for Consumer Advocate Division</i>
Susan J. Riggs, Esq. Jason C. Pizatella, Esq. Spilman Thomas & Battle, PLLC 300 Kanawha Blvd E Charleston, WV 25301 <i>Counsel for WVEUG</i>	Derrick P. Williamson, Esq. Barry A. Naum, Esq. Spilman Thomas & Battle, PLLC 1100 Bent Creek Blvd, Suite 101 Mechanicsburg, PA 17050 <i>Counsel for WVEUG</i>



Keith D. Fisher (WV State Bar #11346)



General Search Results

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Category	Accession	Filed	Document	Docket	Description	Class/Type	Security Level	Files
Submittal	20220201-5217	02/01/2022	02/01/2022	ER22-453-000	Motion for Leave to Answer and Answer of Kentucky Attorney General and Kentucky Industrial Utility Customers, Inc. under ER22-453.	Pleading/Motion Answer/Response to a Pleading/Motion, Pleading/Motion Procedural Motion	Public	Generate PDF + AG-KIUC Motion for Leave to Answer #ER22-453.pdf
Submittal	20220125-5190	01/25/2022	01/25/2022	ER22-453-001 ER22-453-000	Attorney General of Kentucky and Kentucky Industrial Utility Customers, Inc. (KIUC) submits a Motion to Reject the Filing or in the Alternative Protest under ER22-453.	Pleading/Motion Procedural Motion	Public	Generate PDF + AG-KIUC Request to Reject or Protest #ER22-453-000.pdf
Submittal	20220113-5206	01/13/2022	01/13/2022	ER22-453-000 ER22-453-001 ER22-452-000 ER22-452-001	West Virginia Public Service Commission submits a Protest in the form of a Motion to reject or in the alternative hold in abeyance submittals received in ER22-452, et. al.	Pleading/Motion Procedural Motion, Comments/Protest Comment on Filing	Public	Generate PDF + PSCWV Motion to Dismiss.pdf
Submittal	20211228-5273	12/28/2021	12/28/2021	ER22-452-000 ER22-453-000	Unopposed Motion of American Electric Power Service Corporation to Defer Effective Date, Request for Technical Conference, and Request for Shortened Comment Period with Expedited Consideration, Under Docket No. ER22-452 et.al.	Pleading/Motion Procedural Motion	Public	Generate PDF + AEP_s Procedural Motion 12-28-2021.PDF
Submittal	20211213-5232	12/13/2021	12/13/2021	ER22-453-000	(doc-less) Motion to Intervene of Energy Efficient West Virginia, et. al. under ER22-453.	Intervention Motion/Notice of Intervention	Public	Generate PDF + 1265928_Interv.txt
Submittal	20211210-5235	12/10/2021	12/10/2021	ER22-452-000 ER22-453-000	The Public Service Commission of Kentucky submits Request to Reject filings or Alternatively Protest under ER22-452, et. al.	Comments/Protest Comment on Filing	Public	Generate PDF + FINAL Request to Reject and Protest.pdf
Submittal	20211210-5167	12/10/2021	12/10/2021	ER22-453-000	Protest of Attorney General of Kentucky and Kentucky Industrial Utility Customers, Inc. under ER22-453	Comments/Protest Comment on Filing, Other Submittal Government Agency Submittal	Public	Generate PDF + Protest of Ky. AG and KIUC FERC ER22-453-000.pdf
Submittal	20211206-5211	12/06/2021	12/06/2021	ER22-452-000 ER22-453-000	(doc-less) Notice of Intervention of the Public Service Commission of Kentucky under ER22-452, et. al..	Intervention Motion/Notice of Intervention	Public	Generate PDF + 1264633_Interv.txt

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General Search Results

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Category	Accession	Filed	Document	Docket	Description	Class/Type	Security Level	Files
Submittal	20220113-5206	01/13/2022	01/13/2022	ER22-453-000 ER22-453-001 ER22-452-000 ER22-452-001	West Virginia Public Service Commission submits a Protest in the form of a Motion to reject or in the alternative hold in abeyance submittals received in ER22-452, et. al.	Pleading/Motion Procedural Motion, Comments/Protest Comment on Filing	Public	Generate PDF PSCWV Motion to Dismiss.pdf
Submittal	20211228-5273	12/28/2021	12/28/2021	ER22-452-000 ER22-453-000	Unopposed Motion of American Electric Power Service Corporation to Defer Effective Date, Request for Technical Conference, and Request for Shortened Comment Period with Expedited Consideration, Under Docket No. ER22-452 et.al.	Pleading/Motion Procedural Motion	Public	Generate PDF AEP_s Procedural Motion 12-28-2021.PDF
Submittal	20211227-5247	12/27/2021	12/27/2021	ER22-452-000	Motion to Intervene Out-of-Time of Energy Efficient West Virginia, et. al. under ER22-452.	Intervention Motion to Intervene Out of Time	Public	Generate PDF CAG&EEWV Motion to Intervene Out-Of-Time .pdf
Submittal	20211210-5235	12/10/2021	12/10/2021	ER22-452-000 ER22-453-000	The Public Service Commission of Kentucky submits Request to Reject filings or Alternatively Protest under ER22-452, et. al.	Comments/Protest Comment on Filing	Public	Generate PDF FINAL Request to Reject and Protest.pdf
Submittal	20211206-5211	12/06/2021	12/06/2021	ER22-452-000 ER22-453-000	(doc-less) Notice of Intervention of the Public Service Commission of Kentucky under ER22-452, et. al..	Intervention Motion/Notice of Intervention	Public	Generate PDF 1264633_Interv.txt

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