

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

<b>ELECTRONIC INVESTIGATION</b>	)	
<b>OF THE SERVICE, RATES AND</b>	)	<b>Case No. 2021-00370</b>
<b>FACILITIES OF KENTUCKY POWER</b>	)	
<b>COMPANY</b>	)	

---

**SUPPLEMENTAL DATA REQUESTS OF THE ATTORNEY GENERAL AND KIUC**

---

Come now the intervenors, the Attorney General of the Commonwealth of Kentucky, by his Office of Rate Intervention (“Attorney General”) and Kentucky Industrial Utility Customers (“KIUC”), and submit these Data Requests to Kentucky Power Company (hereinafter “Kentucky Power” or “company”) to be answered by February 7, 2024, in accord with the following:

- (1) In each case where a request seeks data provided in response to a staff request, reference to the appropriate requested item will be deemed a satisfactory response.
- (2) Identify the witness who will be prepared to answer questions concerning each request.
- (3) Repeat the question to which each response is intended to refer.
- (4) These requests shall be deemed continuing so as to require further and supplemental responses if the companies receive or generate additional information within the scope of these requests between the time of the response and the time of any hearing conducted hereon.
- (5) Each response shall be answered under oath or, for representatives of a public

or private corporation or a partnership or association, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

(6) If you believe any request appears confusing, please request clarification directly from undersigned Counsel.

(7) To the extent that the specific document, workpaper or information as requested does not exist, but a similar document, workpaper or information does exist, provide the similar document, workpaper, or information.

(8) To the extent that any request may be answered by way of a computer printout, please identify each variable contained in the printout which would not be self-evident to a person not familiar with the printout.

(9) If the company has objections to any request on the grounds that the requested information is proprietary in nature, or for any other reason, notify undersigned Counsel as soon as possible, and in accordance with Commission direction.

(10) As used herein, the words "document" or "documents" are to be construed broadly and shall mean the original of the same (and all non-identical copies or drafts thereof) and if the original is not available, the best copy available. These terms shall include all information recorded in any written, graphic or other tangible form and shall include, without limiting the generality of the foregoing, all reports; memoranda; books or notebooks; written or recorded statements, interviews, affidavits and depositions; all letters or correspondence; telegrams,

cables and telex messages; contracts, leases, insurance policies or other agreements; warnings and caution/hazard notices or labels; mechanical and electronic recordings and all information so stored, or transcripts of such recordings; calendars, appointment books, schedules, agendas and diary entries; notes or memoranda of conversations (telephonic or otherwise), meetings or conferences; legal pleadings and transcripts of legal proceedings; maps, models, charts, diagrams, graphs and other demonstrative materials; financial statements, annual reports, balance sheets and other accounting records; quotations or offers; bulletins, newsletters, pamphlets, brochures and all other similar publications; summaries or compilations of data; deeds, titles, or other instruments of ownership; blueprints and specifications; manuals, guidelines, regulations, procedures, policies and instructional materials of any type; photographs or pictures, film, microfilm and microfiche; videotapes; articles; announcements and notices of any type; surveys, studies, evaluations, tests and all research and development (R&D) materials; newspaper clippings and press releases; time cards, employee schedules or rosters, and other payroll records; cancelled checks, invoices, bills and receipts; and writings of any kind and all other tangible things upon which any handwriting, typing, printing, drawings, representations, graphic matter, magnetic or electrical impulses, or other forms of communication are recorded or produced, including audio and video recordings, computer stored information (whether or not in printout form), computer-readable media or other electronically maintained or transmitted information regardless of the media or

format in which they are stored, and all other rough drafts, revised drafts (including all handwritten notes or other marks on the same) and copies of documents as hereinbefore defined by whatever means made.

(11) For any document withheld on the basis of privilege, state the following: date; author; addressee; indicated or blind copies; all persons to whom distributed, shown, or explained; and, the nature and legal basis for the privilege asserted.

(12) In the event any document called for has been destroyed or transferred beyond the control of the company, please state: the identity of the person by whom it was destroyed or transferred, and the person authorizing the destruction or transfer; the time, place, and method of destruction or transfer; and, the reason(s) for its destruction or transfer. If destroyed or disposed of by operation of a retention policy, state the retention policy.

(13) Provide written responses, together with any and all exhibits pertaining thereto, in one or more bound volumes, separately indexed and tabbed by each response, in compliance with Kentucky Public Service Commission Regulations.

(14) "And" and "or" should be considered to be both conjunctive and disjunctive, unless specifically stated otherwise.

(15) "Each" and "any" should be considered to be both singular and plural, unless specifically stated otherwise.

Respectfully submitted,

RUSSELL COLEMAN  
ATTORNEY GENERAL



---

J. MICHAEL WEST  
LAWRENCE W. COOK  
ANGELA M. GOAD  
JOHN G. HORNE II  
ASSISTANT ATTORNEYS GENERAL  
1024 CAPITAL CENTER DRIVE, SUITE 200  
FRANKFORT, KY 40601-8204  
PHONE: (502) 696-5433  
FAX: (502) 564-2698  
[Michael.West@ky.gov](mailto:Michael.West@ky.gov)  
[Larry.Cook@ky.gov](mailto:Larry.Cook@ky.gov)  
[Angela.Goad@ky.gov](mailto:Angela.Goad@ky.gov)  
[John.Horne@ky.gov](mailto:John.Horne@ky.gov)

/s/ Michael L. Kurtz  
Michael L. Kurtz, Esq.  
Kurt J. Boehm, Esq.  
Jody Kyler Cohn, Esq.  
BOEHM, KURTZ & LOWRY  
36 East Seventh Street, Suite 1510  
Cincinnati, Ohio 45202  
Ph: 513.421.2255 fax: 513.421.2764  
[mkurtz@bkllawfirm.com](mailto:mkurtz@bkllawfirm.com)  
[kboehm@BKLawfirm.com](mailto:kboehm@BKLawfirm.com)  
[jkylercohn@BKLawfirm.com](mailto:jkylercohn@BKLawfirm.com)

*Certificate of Service and Filing*

Pursuant to the Commission's Orders and in accord with all other applicable law, Counsel certifies that, on January 16, 2024, an electronic copy of the foregoing was served via the Commission's electronic filing system.

this 16th day of January, 2024

A handwritten signature in blue ink, appearing to read "J. Michael New". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

---

Assistant Attorney General

**Data Requests**

1. Refer to the response to AG-KIUC 1-1(a)-(c). Confirm that the Company's responses to KIUC 1-1(a) and (b) provide "all" evidence and other information that was requested. If that is not correct, then provide "all" other information missing for a complete and accurate response. If the Company has no additional evidence and/or other information responsive to the requests, then so state.
2. Refer to the table included in the response to AG-KIUC 1-2.
  - a. Provide a similar table for Rockport 1 and 2 and Big Sandy 1.
  - b. Provide capacity factor (NCF) and equivalent availability (EAF) information available from EEI and/or other industry sources for each year 2016-2022 for generating units comparable to Big Sandy 1, Rockport 1 and 2, and Mitchell 1 and 2 individually and in the aggregate for comparable generating units. Provide this information in live Excel format with all formulas intact.
3. Provide an annual history of operation and maintenance expense by FERC O&M expense account for each year 2013-2022 for each generating unit Big Sandy 1, Rockport 1 and 2, and Mitchell 1 and 2.
4. Provide all studies, reports correspondence, and Mitchell operating committee meeting minutes and/or resolutions that address the scope and/or spend rates for capital projects and non-fuel O&M expense starting in 2020 and each year thereafter through 2028.
5. Attachment 1 to the response to KIUC 2-1 in Case 2021-00481 provides a list of the affiliate agreements to which the Company is a party. That list does not include a Mitchell Plant Ownership Agreement. Confirm there presently is no Mitchell Plant Ownership Agreement. If denied, then provide a copy of the Mitchell Plant Ownership Agreement.
6. Provide a copy of the Mitchell Operating Agreement and each consent agreement, resolution, and/or minutes wherein the Mitchell Operating Committee actually or effectively modified or clarified the Mitchell Operating Agreement since the initial version dated December 31, 2014.

7. Describe the AEP ESG goals and provide a copy of all internal documents, including, but not limited to, planning documents, and a copy of all external presentations that address AEP's ESG goals, strategies to achieve those goals, and/or the role of the Company, including the operation of its generating units and AEP's PJM bidding strategies for those generating units, in achieving AEP's ESG goals.
8. Describe specifically how the AEP ESG goals have affected (historically since January 2020) and presently affect the operation and maintenance of and the capital investment in the Company's Rockport and Mitchell coal-fired generating units. Provide a copy of all internal documents, including, but not limited to, planning documents; budgets, including assumptions and sensitivities; minutes and resolutions of the Mitchell Operating Committee; presentations; reports; internal correspondence, such as emails; and target and actual ESG metrics monitored and reported at the generating unit, generating plant, Company, and AEP levels, and any other monitoring and/or reporting level, such as fuel type or source; along with all related notes, commentary, and other internal correspondence, such as emails.
9. Describe specifically whether and if so, how, AEP's allocation of capital and expenses to the Company through the budget process, ESG targets, and/or other means, have constrained or otherwise resulted in limitations on the ability of the Company and/or Wheeling Power Company and/or AEPSC and/or any other AEP affiliate to prudently and reasonably manage the operation, maintenance, and capital investment in its coal-fired generating units since January 2020. Provide a copy of all documentation of such constraints or limitations and the effects on the operation, maintenance, and capital investment in the coal-fired generating units since January 2020. If there have been no AEP constraints or limitations, then so state.
10. Provide a copy of all documentation of plans and/or programs since January 2020 that demonstrate the intent and actions necessary and/or taken by AEP, AEPSC, the Company, and/or Wheeling Power Company to improve the performance and output of the Company's coal-fired generating units, including, but not limited to, the implementation of specific target performance metrics. If none, then so state.
11. Provide a copy of all monthly and other operating reports prepared by and/or for the plant managers at Rockport and Mitchell since January 2020 that show, among



other things, the Company's target and actual performance metrics, commentaries on variances between target and actual performance, and remedial plans to improve performance and output. If none, then so state.

12. Confirm that AEP's achievement of ESG goals and/target metrics are components of AEP's executive incentive compensation under the LTIP and/or other forms of incentive compensation. If confirmed, describe each of these components, the target metrics, and how each component affects AEP executive incentive compensation.
13. Provide a detailed description of the status of discussions and/or negotiations between and among AEP, the Company, and Wheeling Power Company regarding the continuing ownership, capacity entitlements, and/or energy entitlements of the Company to its 50% undivided ownership interests in the Mitchell units after December 31, 2028. Provide a copy of all documents and analyses, draft or otherwise, developed by AEP and/or exchanged among the parties and/or that address these issues.
14. Confirm that the allocations of the ELG and CCR construction costs 100% to Wheeling Power Company does not and will not affect the Company's 50% undivided ownership interests in the capacity and energy entitlements in the Mitchell units either prior to January 1, 2029 or after December 31, 2028. If this is not correct in any respect, then provide a corrected statement, describe how the allocations of the ELG and CCR construction costs affect or will affect the Company's 50% undivided ownership interest in the capacity and energy entitlements in the Mitchell units, including the dates when those effects have or will occur, and provide all documents and other evidence relied on for your response.