

American Electric Power Company, Inc.
Kentucky Power Company
Liberty Utilities Co.
KPSC Case No. 2021-00481
Attorney General's First Set of Data Requests
Dated January 13, 2022

DATA REQUEST

AG 1_49 Provide a complete copy of any filings associated with the proposed merger made pursuant to the Hart-Scott-Rodino Antitrust Improvements Acts of 1976 (15 U.S.C.A. § 18a; together with regulations promulgated thereunder at 16 CFR §§ 801-803) (hereinafter jointly referred to as “the Act”).

RESPONSE

The Joint Applicants object to this request on the basis that it seeks information that is outside the scope of this proceeding and that is neither relevant to this proceeding or calculated to lead to the discovery of admissible evidence. In support of this objection, the Joint Applicants state that the information that the Joint Applicants were required to submit for antitrust purposes is not relevant to the Commission's inquiry into this matter, which, pursuant to KRS 278.020(6) and (7), is whether Liberty has the financial, technical, and managerial abilities to provide reasonable service and that the proposed acquisition is in accordance with law, for a proper purpose, and consistent with the public interest.

Respondent: Counsel

JANUARY 28, 2022 SUPPLEMENTAL RESPONSE:

The Joint Applicants object to this request on the basis that it seeks information that is outside the scope of this proceeding and that is neither relevant to this proceeding or calculated to lead to the discovery of admissible evidence. In support of this objection, the Joint Applicants state that the information that the Joint Applicants were required to submit for antitrust purposes is not relevant to the Commission's inquiry into this matter, which, pursuant to KRS 278.020(6) and (7), is whether Liberty has the financial, technical, and managerial abilities to provide reasonable service and that the proposed acquisition is in accordance with law, for a proper purpose, and consistent with the public interest. Subject to and without waiving the foregoing objection, the Joint Applicants state:

Please see JA_SR_AG_1_49_SupplementalConfidentialAttachment 1, JA_SR_KPSC_1_67_SupplementalConfidentialAttachment1, JA_SR_AG_1_49_Confidential_Liberty_HSR_Application, and Exhibit 5 to the Joint

Application for AEP's filing made pursuant to the Hart-Scott-Rodino Antitrust Improvements Act of 1976.

Witness: Stephan T. Haynes

Witness: Peter Eichler

JA_SR_AG_1_49_Confidential_Liberty_HSR_Application.pdf
has been redacted in its entirety