

American Electric Power Company, Inc.
Kentucky Power Company
Liberty Utilities Co.
KPSC Case No. 2021-00481
Commission Staff's Second Post-Hearing Data Requests
Dated April 12, 2022

DATA REQUEST

**KPSC_PH
DR_001** Refer to Liberty's response to Commission Staff's First Post-Hearing Request for Information (Staff's First Post-Hearing Request), Item 1. Liberty's response was vague and nonresponsive. Provide the name(s) of the lenders for the delayed draw term syndicate facilities, including financing terms.

RESPONSE: A copy of the Term Loan Agreement for the delayed draw term loan is attached herewith as:
JA_R_KPSC_2PHDR_001_ConfidentialAttachment1.pdf.
The terms of the Term Loan Agreement are subject to a confidentiality agreement, and therefore, must remain confidential. The lenders are found on page 100 of the Term Loan Agreement, along with the Commitment levels of each.

Witness: Michael Mosindy

American Electric Power Company, Inc.
Kentucky Power Company
Liberty Utilities Co.
KPSC Case No. 2021-00481
Commission Staff's Post-Hearing Data Requests
Dated March 31, 2022

DATA REQUEST

**KPSC_PH
DR_002**

Refer to Liberty's response to Staff's First Post-Hearing Request, Item 11. Liberty's response was nonresponsive.

- a. Explain why there are no documents that are publicly available for Items 11(a) and (b).
- b. Liberty's response to Item 11(c) references a confidential filing in response to Attorney General 1-80. Provide a copy of a publicly available financing document as specified in Staff's Post-Hearing Request 11(c). If the only documents available are confidential, explain why public records are not available and file a copy of the confidential documents with the response to this post-hearing request.

RESPONSE:

(a) The debt between Liberty Utilities GP1 ("GP1") and debt holders has been issued through traditional private placements and more recently through the United States 144a market. The debt Between GP1 and Liberty Utilities Co. ("Liberty") is passed down from GP1 to Liberty directly from GP1 or through affiliates of GP1. Neither GP1 nor Liberty are public companies, nor regulated utilities. Therefore, these financing documents and debt instruments are not publicly listed on an exchange nor required to be publicly filed with any regulatory body.

(b) Intercompany debt agreements between Liberty and its regulated utility subsidiaries are typically filed confidentially with regulators. Further, such agreements are not between publicly traded companies and are not required to be publicly disclosed. These agreements contain detailed confidential information about intercompany financing, financing terms and other business information, including interest rates and processes. Confidential treatment of such debt agreements is necessary to protect Liberty

from potential competitive, commercial and market disadvantages. As a result, confidential treatment is requested for all such intercompany agreements when they are filed with state regulators. For these reasons, these intercompany debt agreements are not publicly available, as requested by Staff. Subject to treatment as confidential, Liberty has provided the debt agreements attached as JA_R_KPSC_2PHDR_001_ConfidentialAttachment2.zip between LUCo and its regulated utilities subsidiaries.

Witness: Michael Mosindy

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DATA REQUEST

**KPSC_PH
DR_003** Provide a comprehensive organizational chart for Algonquin Power
&Utilities Corp. and its subsidiaries.

RESPONSE: Please see:
JA_R_KPSC_2PHDR_001_ConfidentialAttachment3.pdf.

Witness: Peter Eichler