

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

**DATA REQUEST**

**KPSC 1\_24**

Refer to the Application, paragraph 13, which identifies regulatory approvals necessary to close the proposed transaction. Provide the status of the requested approvals required in accordance with the Hart-ScottRodino Antitrust Improvements Acts of 1976, Federal Communications Commission, Committee on Foreign Investment in the United States, and U.S. District Court for the Southern District of Ohio.

**RESPONSE**

The Joint Applicants made the required filing under the Hart-Scott-Rodino Antitrust Improvements Acts ("HSR Act") on December 20, 2021. The waiting period under the HSR Act went into effect on December 30, 2021 and will expire as of Monday, January 31st at 11:59 pm.

The Joint Applications made the required filings to the Committee on Foreign Investment in the United States ("CFIUS") on December 2, 2021. On January 5, 2021 CFIUS determined there were no unresolved national security concerns.

The Joint Applicants are currently preparing a filing and coordinating with the parties to the proceeding pending before the U.S. District Court for the Southern District of Ohio.

The FCC consented to the assignment of certain Kentucky Power licenses to Wheeling Power Company on January 13, 2022. Joint Applicants expect to file an application to the FCC to transfer control of Kentucky Power prior to closing. The FCC typically approves such applications within 30 days.

Witness: Stephan T. Haynes and Peter Eichler

**FEBRUARY 14, 2022 SUPPLEMENTAL RESPONSE:**

The waiting period under the HSR Act expired on January 31, 2022 with no questions from the Department of Justice and thus the clearance has been obtained.

Witness: Stephan T. Haynes and Peter Eichler