

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

DATA REQUEST

AG 1_5

State when the Joint Applicants and any relevant affiliates expect to receive full approval of the proposed transaction from FERC, NERC, SEC, FCC, the U.S. Justice Dept., the Committee on Foreign Investment in the United States (“CIFIUS”), and all relevant state public utility regulatory authorities.

RESPONSE

Clearance from The Committee on Foreign Investment in the United States was received on January 5, 2022. There is no approval of the transaction necessary by the SEC or NERC. Approval from the U.S. Justice Department is expected in February 2022. Approval by the Kentucky Public Service Commission is expected prior to May 4, 2022. Approval by the Federal Energy Regulatory Commission under Section 203 of the Federal Power Act is expected by April 25, 2022. 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 the Kentucky Power licenses prior to closing. The FCC typically approves such applications within 30 days.

Witness: Stephan T. Haynes

Witness: 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