

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

In the Matter of:

An Electronic Examination Of The Application Of)	
The Fuel Adjustment Clause Of Kentucky Power)	
Company From May 1, 2021 Through October 31,)	Case No. 2021-00036
2021)	

Motion For Leave To Deviate From Publication Requirements

Kentucky Power Company moves the Public Service Commission of Kentucky pursuant to 807 KAR 5:001, Section 22 for leave to deviate from the publication requirements of the Commission's July 13, 2022 Order and 807 KAR 5:001, Section 9(2)(b) to publish public notice of the August 4, 2022 hearing in this proceeding. Kentucky Power states in support of its motion that good cause exists to grant the requested deviation based upon the following grounds:

1. The Commission on July 13, 2022 issued its Order in this proceeding establishing the August 4, 2022 hearing and directing the Company to publish public notice of the hearing.
2. Kentucky Press Service is Kentucky Power's agent for placing the public notices in the newspapers of record in the 20 counties in the Company's service territory. Kentucky Power acted promptly on July 17, 2022 to contact the Kentucky Press Service, Inc. to schedule the publication of the notices.
3. The Kentucky Press Service confirmed on July 19, 2022 that each of the 20 newspapers agreed to publish the notice within the window prescribed by 807 KAR 5:001, Section 9(2)(b)(2).
4. Kentucky Press Service informed the Company on August 2, 2022 that the *Booneville Sentinel*, the paper of record for Owsley County, Kentucky, failed to publish the

notice as requested. When contacted by Kentucky Press Service the *Booneville Sentinel* acknowledged it received the request to publish the notice in time to be published on July 27, 2022 and thus within the prescribed window. The *Booneville Sentinel* indicated it failed to publish the notice because of human error. The Kentucky Press Service subsequently informed the Company that the *Booneville Sentinel* notice of hearing was published on August 3, 2022.

5. The failure of the *Booneville Sentinel* to publish the required notice within the prescribed period is the result of matters outside the control of Kentucky Power.

Wherefore, Kentucky Power Company respectfully requests that the Commission issue an Order granting a deviation from the publication requirements of the Commission's July 13, 2022 Order and 807 KAR 5:001, Section 9(2)(b) and

1. Accepting the Company's notice of filing of the proof of publication and proceeding with the scheduled August 4, 2022 hearing;

2. Granting Kentucky Power leave to deviate from the publication requirements of the Commission's July 13, 2022 Order and 807 KAR 5:001, Section 9(2)(b) with respect to the August 3, 2022 notice of hearing published in the *Booneville Sentinel*.

3. Granting Kentucky Power Company such further relief as may be warranted.

Respectfully submitted,



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