

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

In the Matter of:

ELECTRONIC TARIFF FILING OF)	
KENTUCKY POWER COMPANY FOR)	CASE NO. 2022-00424
APPROVAL OF A SPECIAL CONTRACT)	
UNDER ITS ECONOMIC)	
DEVELOPMENT RIDER AND DEMAND)	
RESPONSE SERVICE TARIFFS WITH)	
CYBER INNOVATION GROUP, LLC)	

**SUPPLEMENTAL DATA REQUESTS OF JOINT INTERVENORS
MOUNTAIN ASSOCIATION, KENTUCKIANS FOR THE COMMONWEALTH,
APPALACHIAN CITIZENS' LAW CENTER, SIERRA CLUB, AND KENTUCKY
RESOURCES COUNCIL, INC. TO KENTUCKY POWER COMPANY**

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Law Center, Sierra Club, and Kentucky
Resources Council. Inc.

Dated: February 10, 2023

DEFINITIONS

1. “Document” means the original and all copies (regardless of origin and whether or not including additional writing thereon or attached thereto) of any memoranda, reports, books, manuals, instructions, directives, records, forms, notes, letters, or notices, in whatever form, stored or contained in or on whatever medium, including digital media.

2. “Study” means any written, recorded, transcribed, taped, filmed, or graphic matter, however produced or reproduced, either formally or informally, a particular issue or situation, in whatever detail, whether or not the consideration of the issue or situation is in a preliminary stage, and whether or not the consideration was discontinued prior to completion.

3. “Person” means any natural person, corporation, professional corporation, partnership, association, joint venture, proprietorship, firm, or the other business enterprise or legal entity.

4. A request to identify a natural person means to state his or her full name and business address, and last known position and business affiliation at the time in question.

5. A request to identify a document means to state the date or dates, author or originator, subject matter, all addressees and recipients, type of document (e.g., letter, memorandum, telegram, chart, etc.), identifying number, and its present location and custodian. If any such document was but is no longer in the Company’s possession or subject to its control, state what disposition was made of it and why it was so disposed.

6. A request to identify a person other than a natural person means to state its full name, the address of its principal office, and the type of entity.

7. “And” and “or” should be considered to be both conjunctive and disjunctive, unless specifically stated otherwise.

8. “Each” and “any” should be considered to be both singular and plural, unless specifically stated otherwise.

9. Words in the past tense should be considered to include the present, and words in the present tense include the past, unless specifically stated otherwise.

10. “You” or “your” means the person whose filed testimony is the subject of these data requests and, to the extent relevant and necessary to provide full and complete answers to any request, “you” or “your” may be deemed to include any other person with information relevant to any interrogatory who is or was employed by or otherwise

associated with the witness or who assisted, in any way, in the preparation of the witness' testimony.

11. "KPCO" or "the Company" means Kentucky Power Company and/or any of its officers, directors, employees or agents who may have knowledge of the particular matter addressed, and affiliated companies.

12. "Joint Intervenors" means the Mountain Association, Kentuckians For The Commonwealth, Appalachian Citizens' Law Center, Sierra Club, and Kentucky Resources Council, who have moved the Commission for the status of full joint intervention in this matter.

13. "Proposed Special Contract" means the proposed special contract between KPCO and Cyber Innovations Group ("CIG") that is at issue in this proceeding.

14. "Facility" means the facility to be constructed by CIG in Lawrence, Kentucky that is the subject of the Proposed Special Contract.

15. "CIG" means Cyber Innovations Group, LLC and/or any of its officers, directors, employees or agents who may have knowledge of the particular matter addressed, as well as any parent companies or affiliated companies.

INSTRUCTIONS

1. If any matter is evidenced by, referenced to, reflected by, represented by, or recorded in any document, please identify and produce for discovery and inspection each such document.

2. These requests for information are continuing in nature, and information which the responding party later becomes aware of, or has access to, and which is responsive to any request is to be made available to Joint Intervenors. Any studies, documents, or other subject matter not yet completed that will be relied upon during the course of this case should be so identified and provided as soon as they are completed. The Respondent is obliged to change, supplement and correct all answers to interrogatories to conform to available information, including such information as it first becomes available to the Respondent after the answers hereto are served.

3. Unless otherwise expressly provided, each data request should be construed independently and not with reference to any other interrogatory herein for purpose of limitation.

4. The answers provided should first restate the question asked and also identify the person(s) supplying the information.

5. Please answer each designated part of each information request separately. If you do not have complete information with respect to any interrogatory, so state and give as much information as you do have with respect to the matter inquired about, and identify each person whom you believe may have additional information with respect thereto.

6. In the case of multiple witnesses, each interrogatory should be considered to apply to each witness who will testify to the information requested. Where copies of testimony, transcripts or depositions are requested, each witness should respond individually to the information request.

7. The interrogatories are to be answered under oath by the witness(es) responsible for the answer.

**SUPPLEMENTAL DATA REQUESTS PROPOUNDED TO KENTUCKY POWER
COMPANY BY JOINT INTERVENORS**

- 2.1. Please refer to the Company's response to AG's request 1.9.
- a. Please identify the date on which the Facility became operational.
 - b. Please identify the current load and load factor for the Facility.
 - c. Does the Company anticipate that the Facility's load and/or load factor will increase in 2023, in the absence of Commission approval of the Proposed Special Contract for the Facility? If yes, please explain in detail what changes are anticipated. If no, please explain why not.
- 2.2. Please refer to the November 16, 2022 letter submitted with the tariff filing, at page 4, which states, "The Company will recover from Cyber Innovation any fixed costs associated with upgrading its distribution or transmission facilities to serve Cyber Innovation over the life of the Contract. These upgrades, the full cost of which the Company will recover from Cyber Innovation, also constitute improvements and upgrades to common facilities that also serve other customers."
- 2.3. Please identify any upgrades to distribution or transmission facilities to serve CIG over the life to the Proposed Special Contract that the Company currently anticipates.
- a. If any upgrades are identified in response to paragraph (a), please identify the anticipated fixed costs of those upgrades.
 - b. Please identify and explain in detail the mechanism by which the Company would recover the full cost of any such upgrades from CIG.
- 2.4. Please refer to the Company's response to Staff request 1.2(b), which states, "There are still long term projects the Company plans to undertake in order to help support Cyber Innovation's loads on the 69 kV line. For example, the Company will add a Phase over Phase switch and replace the metering equipment at Long Fork."
- a. Please identify any and all "long term projects" referenced in the response.
 - b. For each project identified, please (i) explain in detail the nature of the project; (ii) identify the anticipated capital expenditure required with a breakdown between the investment in construction materials and building vs. equipment; (iii)

identify the anticipated timing of the project; and (iv) identify whether the Company anticipates that it will seek to recover the costs of the project from customers other than CIG, and if so, by what mechanism.

2.5. Please refer to the Company's response to Staff request 1.3, AG request 1.10, and Joint Intervenors' request 1.2. Please explain in detail what steps the Company has taken to assess and verify the accuracy of information provided by CIG concerning jobs created by the Facility.

2.6. Please refer to the Company's response to Joint Intervenors' request 1.15.

- a. Please identify specifically the characteristics of the four "potential cryptocurrency-related projects" that caused the Company to consider them for a contract under the Tariff EDR.
- b. Please identify specifically the sizes of the loads for the four potential projects and explain how they differed from other potential projects that were not considered for a contract under the Tariff EDR.
- c. Please identify specifically the nature of the "customer's commitment to sign a contract" for each of the four potential projects that differed from other potential projects that were not considered for a contract under the Tariff EDR.
- d. Other than the sizes of the loads and the customer's commitment to sign a contract, were there any other criteria considered in determining whether to offer CIG a special contract for the Facility under Tariff EDR? Please explain why or why not.

Respectfully submitted,



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the Commonwealth, Mountain Association,
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CERTIFICATE OF SERVICE

This is to certify that this electronic filing of *Supplemental Data Requests of Joint Intervenors Mountain Association, Kentuckians for the Commonwealth, Appalachian Citizens' Law Center, Sierra Club, and Kentucky Resources Council, Inc. To Kentucky Power Company* was submitted to the Commission on February 10, 2023; that the documents in this electronic filing are true representations of the materials prepared for the filing; and that the Commission has not excused any party from electronic filing procedures for this case at this time.



Tom FitzGerald