

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

In the Matter of:

The Electronic Application Of Kentucky Power)	
Company For A Certificate Of Public Convenience)	
And Necessity To Construct 69 kV Transmission)	Case No. 2023-00040
Lines And Associated Facilities In Pike County,)	
Kentucky (“Belfry Area Transmission Line Project”))	

Kentucky Power Company’s Notice of Filing of Permits

In accordance with Paragraph 6 of the Commission’s October 6, 2023 Order in this proceeding, Kentucky Power files as **EXHIBIT A** to this notice a copy of the following:

- The April 8, 2025 acknowledgment from the Kentucky Department for Environmental Protection, that coverage under the Kentucky Pollutant Discharge Elimination System (KPDES) General Permit for Storm Water Discharges Associated with Construction Activities (KYR100000) has been approved for the Orinoco Station Project (KYR10T908). Kentucky Power inadvertently failed to file this with in the time period required by the Order and discovered this permit during a permit review for the project.
- The September 6, 2024 correspondence from the United States Fish and Wildlife Service confirming the project is not likely to adversely affect endangered species and the September 10, 2025 correspondence from the Kentucky State Historical Preservation Officer confirming that review under Section 106 of the National Historic Preservation Act is not required for the Project. These confirmations are necessary prerequisites for coverage under US Army Corps of Engineers (“USACE”) nationwide permits (“NWP”) 13 and 57. The Company initially did not require coverage under NWP 13 or NEW 57 for the project, but subsequent minor design changes required coverage. Disturbance levels under NWP 13 and NWP 57 were below the levels that require pre-construction notice to the USACE.

Respectfully submitted,



Kenneth J. Gish, Jr.
STITES & HARBISON PLLC
250 West Main Street, Suite 2300
Lexington, Kentucky 40507-1758
Telephone: (859) 226-2300
Fax: (859) 253-9144
kgish@stites.com

COUNSEL FOR KENTUCKY POWER
COMPANY

EXHIBIT A



Andy Beshear
GOVERNOR

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

300 Sower Boulevard
Frankfort, Kentucky 40601
Phone: (502) 564-2150
Fax: 502-564-4245

Rebecca W. Goodman
SECRETARY

Anthony R. Hatton
COMMISSIONER

April 8, 2025

Jared Webb
Kentucky Power Co
40 Franklin Rd
Roanoke, VA 24011

Re: KYR10 Coverage Acknowledgment
KPDES No.: KYR10T340
Orinoco Station Project
Permit Type: Construction Stormwater
AI ID: 133321
Pike County, Kentucky

Dear Jared Webb:

The discharges associated with the Notice of Intent you submitted have been approved for coverage under the “Kentucky Pollutant Discharge Elimination System (KPDES) General Permit for Storm Water Discharges Associated with Construction Activities (KYR100000)” master general permit. Your coverage becomes effective on the date of this letter. This coverage automatically terminates two years from the effective date of your coverage unless an extension is requested prior to the termination date, or the Division of Water revokes coverage, whichever comes first. During this period of coverage all discharges shall comply with the conditions of the KYR100000 master general permit. This permit and links to the eNOI (and permit coverage extension) and eNOT forms can be found on our website:

<https://eec.ky.gov/Environmental-Protection/Water/PermitCert/KPDES/Documents/KYR10PermitPage.pdf>.

Any person aggrieved by the issuance of a permit final decision may demand a hearing pursuant to KRS 224.10-420(2) within thirty (30) days from the date of the issuance of this letter. Any demand for a hearing on the permit shall be filed in accordance with the procedures specified in KRS 224.10-420, 224.10-440, 224.10-470, and the regulations promulgated thereto. The request for hearing should be submitted in writing to the Energy and Environment Cabinet, Office of Administrative Hearings, 211 Sower Boulevard, Frankfort, Kentucky 40601 and the Commonwealth of Kentucky, Energy and Environment Cabinet, Division of Water, 300 Sower Boulevard, Frankfort, Kentucky 40601. For your record keeping purposes, it is recommended that these requests be sent by certified mail. The written request must conform to the appropriate statutes referenced above.

Any questions concerning the general permit and its requirements should be directed to me at 502-782-4213 or email me at sam.burns@ky.gov

Construction Site GPS Coordinates: 37.613097, -82.271433
Receiving Water: Unnamed Tributary to Pond Creek

Sincerely,

Sam Burns
Surface Water Permits Branch
Division of Water

cc: Darren Kidwell, eNOI Preparer
Ashton Johnson, Hazard Regional Office



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Kentucky Ecological Services Field Office
330 West Broadway, Suite 265
Frankfort, Kentucky 40601
(502) 695-0468

September 6, 2024

Adam Mann
GAI Consultants, Inc.
Northern Kentucky Office
11 Spiral Drive, Suite 8
Florence, KY 41042

Subject: FWS 2022-0074032; New Camp - Stone 69kV Transmission Line Project; Pike County, Kentucky

Dear Adam Mann:

The U.S. Fish and Wildlife Service's Kentucky Field Office (KFO) has reviewed the above-referenced project information received by our office on July 26, 2024. On behalf of Kentucky Power, an American Electric Power (AEP) company, GAI Consulting, Inc. (GAI) is proposing a transmission line development project in Pike County, Kentucky. The KFO offers the following comments in accordance with the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.).

Project Description

Kentucky Power is proposing to construct 6.5 miles of 69-kilovolt transmission line and 22 miles of new or improved access roads. The northern terminus of the transmission line will be located one mile south of the intersection of U.S. Highway 119 and W 4th Avenue in New Camp, Kentucky, and the southern terminus will be immediately east of the intersection of KY Route 199 and Church Street in Huddy, Kentucky. The project site consists of forested habitat, existing roadways, and open fields. No stream impacts are proposed. A total of 130 acres of tree removal will be required for the project.

Federally Listed Species

The applicant has determined that the proposed project has the potential to affect the gray bat (*Myotis grisescens*), Indiana bat (*Myotis sodalis*), northern long-eared bat (*Myotis septentrionalis*), and Big Sandy crayfish (*Cambarus callainus*). A habitat assessment of the project site was performed by GAI on August 26 through 30, 2022.

Gray bat

No features that could be used as hibernacula by these species were identified at the project site during the habitat assessment. In addition, best management practices (BMPs) would be implemented prior to and during construction to minimize indirect impacts to potential gray bat

foraging habitat located downstream of the site. Based on the minimal impacts to foraging and commuting habitat, the KFO agrees the proposed action, “may affect, but is not likely to adversely affect” the gray bat.

Indiana bat and northern long-eared bat (NLEB)

No features that could be used as hibernacula by these species were identified at the project site during the habitat assessment. The trees in the woodlot were identified as suitable summer roosting, foraging, and commuting habitat for these species, and the proposed project will require the removal of 130 acres of this habitat. The proposed project is located within “Potential” habitat for both species. Mist-net survey plans were approved on August 1, 2022, and were conducted from August 5 to August 15, 2022. No Indiana bats or NLEBs were captured. The KFO approved the results of this survey on August 7, 2024. Based on the probable absence of the Indiana bat and NLEB within the project area and lack of suitable hibernacula within the project area, we agree with your determination that the proposed action “may affect, but is not likely to adversely affect” the Indiana bat and NLEB.

Big Sandy crayfish

No impacts to the stream or streambanks are proposed. Kentucky Power will implement BMPs to reduce sedimentation and erosion into downstream waters. Based on lack of impacts to suitable habitat within the project area and implementation of BMPs, we agree with your determination that the proposed project “may affect, but is not likely to adversely affect” the Big Sandy crayfish.

Summary

The KFO agrees that the proposed action “may affect but is not likely to adversely affect” the gray bat, Indiana bat, northern long-eared bat, and Big Sandy crayfish. If the proposed action is subsequently modified or new information indicates that the proposed action may affect listed species or their habitat in a manner not previously considered, additional coordination with our office may be necessary.

We appreciate the opportunity to review the proposed project. If you have any questions, please contact Karah Jaffe of my staff at karah.jaffe@fws.gov.

Sincerely,

for Virgil Lee Andrews, Jr.
Field Supervisor



ANDY BESHEAR
GOVERNOR

TOURISM, ARTS AND HERITAGE CABINET
KENTUCKY HERITAGE COUNCIL
THE STATE HISTORIC PRESERVATION OFFICE

LINDY CASEBIER
SECRETARY

JACQUELINE COLEMAN
LT. GOVERNOR

410 HIGH STREET
FRANKFORT, KENTUCKY 40601
(502) 564-7005
www.heritage.ky.gov

CRAIG A. POTTS
EXECUTIVE DIRECTOR &
STATE HISTORIC PRESERVATION OFFICER

September 10, 2025

Darren W. Kidwell
Environmental Specialist
Kentucky Power
1645 Winchester Avenue
Ashland, Kentucky 41101
Via email: dwkidwell@aep.com

RE: *Phase I Archaeological Investigation, New Camp – Stone 69-kV
Transmission Line Project, Pike County, Kentucky* by Brent E. Shreckengost

Dear Mr. Kidwell,

Thank you for your submittal of an archaeology report regarding the above-referenced undertaking. We understand Kentucky Power proposes to construct 10.46 kilometers of greenfield transmission line, a new substation, and to construct or upgrade up to 36 kilometers of access roads.

GAI Consultants, Inc. (GAI) conducted an archaeological survey of the 301.34-acre area of potential effect (APE) between April and June 2024 and in June of 2025. We understand methods included pedestrian survey and shovel testing. Two new archaeological sites (15Pi258 and 15Pi259) were documented as a result of this survey. Additionally, previously recorded sites 15Pi87, 15Pi88, and 15Pi89 were revisited.

Sites 15Pi87, 15Pi88, and 15Pi89 were previously recommended as not eligible for listing in the National Register of Historic Places (NRHP). GAI recommends no change to their eligibility status. We concur with these recommendations.

GAI recommends sites 15Pi258 and 15Pi259, each a historic cemetery, are unassessed for the NRHP. We concur with these recommendations. We understand both cemeteries will be



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avoided by ground-disturbing activities. Site 15Pi259 is approximately 10 meters from portions of a proposed access route. Therefore, as an additional avoidance measure, Kentucky Power will install protective fencing around 15Pi259, and an SOI-qualified archaeologist will be present for all ground-disturbing activity near this site. (Please note it is not necessary for this archaeologist to be employed by GAI, as this is specified in the submitted report.) We concur with the avoidance measures.

We accept the archaeology report without revision.

Should this project or portions of this project area become an undertaking subject to Section 106 review, additional consultation with our office is required, including information regarding above-ground resources. The Office of Army Cemeteries has requested to be consulting party on any projects near or involving potential remains of Soldiers. Based on the cemetery information documented in this report, we recommend you contact them at Michael.k.trimble.civ@army.mil. Should you have any questions or concerns, please contact Patti Hutchins of my staff at Patricia.Hutchins@ky.gov.

Sincerely,



Craig Potts
Executive Director and
State Historic Preservation Officer

KHC# 251873

CP: peh

e-cc: Brent E. Shreckengost, GAI, b.shreckengost@gaiconsultants.com