

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

In the Matter of:

ELECTRONIC APPLICATION OF)	
KENTUCKY POWER COMPANY FOR (1) A)	
GENERAL ADJUSTMENT OF ITS RATES)	CASE NO. 2023-00159
FOR ELECTRIC SERVICE; (2) APPROVAL)	
OF TARIFFS AND RIDERS; (3) APPROVAL)	
OF ACCOUNTING PRACTICES TO)	
ESTABLISH REGULATORY ASSETS AND)	
LIABILITIES; (4) A SECURITIZATION)	
FINANCING ORDER; AND (5) ALL OTHER)	
REQUIRED APPROVALS AND RELIEF)	

**WALMART INC.'S NOTICE REGARDING ORDER OF WITNESSES AND
MOTION TO ALLOW WALMART WITNESS TO TESTIFY ON A DATE CERTAIN**

Walmart Inc. ("Walmart") gives notice pursuant to the Kentucky Public Service Commission's ("Commission") November 13, 2023, Order that Walmart's sole witness in this proceeding is Lisa V. Perry, Director, Regulatory – Utility Partnerships. Further, Walmart respectfully moves the Kentucky Public Service Commission ("Commission") for entry of an Order setting a date certain of November 28 or November 29, 2023, for Ms. Perry to provide testimony in this matter. In support of this Motion, Walmart states as follows:

1. On October 2, 2023, Ms. Perry's Direct Testimony was filed in this matter.
2. The only party to propound discovery on Walmart was the limited data requests propounded by Kentucky Power Company ("KPCO" or "Company") on October 16, 2023. Responses those data requests were filed on October 30, 2023.
3. Over the past several weeks, the parties have engaged in settlement discussions, which culminated in all parties either entering into a stipulation and settlement ("Settlement") or

not opposing it.¹

4. On November 20, 2023, the Company will file a motion requesting that the Commission accept the Settlement.

5. Under the terms of the Settlement, all parties have agreed to waive cross of Ms. Perry.

6. Walmart witness Perry and the undersigned counsel will be appearing before the Public Utilities Commission of Ohio on November 27, 2023, in *In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company for Authority to Provide for a Standard Service Offer Pursuant to R.C. § 4928.143 in the Form of an Electric Security Plan*, Case No. 23-0301-EL-SSO. Following Ms. Perry's testimony in this matter, Ms. Perry and the undersigned counsel will travel to Kentucky to attend the hearing in the above referenced matter beginning on November 28, 2023.

7. Ms. Perry is based out of Bentonville, Arkansas, and she is traveling to Kentucky solely for the purpose of participating in this hearing.

8. In light the limited nature of Ms. Perry's testimony, the parties' agreement to waive cross of Ms. Perry, and Ms. Perry's travel schedule, Walmart requests that the Commission permit Ms. Perry to provide her testimony on a date certain of either November 28 or November 29, 2023.

9. Due to a medical issue involving a colleague, the undersigned counsel may also need to participate in a hearing before the Public Service Commission of West Virginia concerning the *Monongahela Power Company and Potomac Edison Company's Petition and General Investigation to Determine Reasonable Rates and Charges on or After January 1, 2024*, Case No.

¹ The Attorney General of the Commonwealth of Kentucky, through his Office of Rate Intervention ("OAG") and SWVA Kentucky, LLC ("SWVA") have indicated they will not oppose the Settlement and will not cross-examine any witnesses at the evidentiary hearing.

23-0735-E-ENEC, which is scheduled to begin on November 30, 2023. As such, to the extent the hearing in the above-referenced matter continues beyond November 29, 2023, the undersigned counsel may need to request to be excused from the remainder of this hearing. Accordingly, Walmart seeks a date certain for its witness to testify prior to November 30, 2023.

10. Setting a date certain for the testimony of Ms. Perry will not prejudice the Commission or any other party.

WHEREFORE, Walmart respectfully requests that the Commission grants its Motion.

Respectfully submitted,

SPILMAN THOMAS & BATTLE, PLLC

By 

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Counsel to Walmart Inc.

Dated: November 20, 2023

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served upon parties and/or counsel of record in this proceeding by electronic mail (when available) or by first-class mail, unless otherwise noted, this 20th day of November, 2023, to the following:

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