

**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 For)	
Electric Service; (2) Approval Of Tariffs And Riders;)	
(3) Approval Of Accounting Practices To Establish)	Case No. 2023-00159
Regulatory Assets And Liabilities; (4) A)	
Securitization Financing Order; And (5) All Other)	
Required Approvals And Relief)	

Motion For Leave To Deviate

Kentucky Power Company (“Kentucky Power” or “Company”) moves the Public Service Commission of Kentucky (“Commission”) pursuant to 807 KAR 5:001, Section 22 and 807 KAR 5:011, Section 15 for leave to deviate from the requirements of 807 KAR 5:001, Section 17(2)(b)(3), 807 KAR 5:011, Section 8(2)(b)(3), and all other applicable provisions. The identified regulations require in part that Kentucky Power publish its customer notice once a week for three consecutive weeks in a prominent manner in a newspaper of general circulation in the utility’s service area.¹ This request for deviation applies only to the publication of the required customer notice in two newspapers within the Company’s service territory: the *Elliott County News* (Elliott County) and the *Licking Valley Courier* (Morgan County). Kentucky Power proposes to publish its Abbreviated Customer Notice in the remaining newspapers as provided in the regulations beginning the week of June 19, 2023 and continuing the weeks of June 26, 2023 and July 3, 2023.

The Company was first informed on June 14, 2023 that the *Elliott County News* and the *Licking Valley Courier* will not publish the week of July 3, 2023, the third consecutive week

¹ By Order dated June 2, 2023 in this proceeding, the Commission granted Kentucky Power’s Application to provide abbreviated newspaper notice of the Company’s Application for a rate adjustment in satisfaction of the requirements of 807 KAR 5:001, Section 17(2) (“Abbreviated Customer Notice”).

following the initial publication in those newspapers. The Company confirmed that the *Elliott County News* and the *Licking Valley Courier* will reopen and will begin publishing again the week of July 10, 2023.

The Company requests a deviation from the three consecutive weeks requirement of 807 KAR 5:001, Section 17(2)(b)(3), 807 KAR 5:011, Section 8(2)(b)(3), and proposes that it instead be authorized to publish its Abbreviated Customer Notice in accordance with the following schedule for the following newspapers only:

- *Elliott County News* — June 23, June 30, and July 14, 2023; and
- *Licking Valley Courier* — June 22, June 29, and July 13, 2023.

Good cause exists for allowing the requested deviation. The newspapers' publication schedule is outside the control of Kentucky Power. The Company first learned on June 14, 2023, that the two newspapers would not be publishing the week of July 3, 2023, and requested this deviation as soon as was practicable thereafter. The proposed publication schedule most closely matches that required by the regulations as is possible. Further, if granted, the requested deviation will result in publication of the Abbreviated Customer Notice for three consecutive publications in the subject newspapers because the newspapers will not be publishing the week of July 3, 2023.

WHEREFORE, Kentucky Power Company respectfully requests the Commission enter an Order:

1. Granting the Company's motion for leave to deviate from the requirements of 807 KAR 5:001, Section 17(2)(b)(3), 807 KAR 5:011, Section 8(2)(b)(3), and all other applicable provisions, by publishing its Abbreviated Customer Notice in the newspapers of record in Elliott and Morgan counties on the following schedule:

- *Elliott County News* — June 23, June 30, and July 14, 2023; and
- *Licking Valley Courier* — June 22, June 29, and July 13, 2023.

2. Granting such further relief to which the Company may be entitled.

Respectfully submitted,



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