

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 ) CASE No.  
TARIFFS AND RIDERS; (3) APPROVAL OF ACCOUNTING ) 2023-00159  
PRACTICES TO ESTABLISH REGULATORY ASSETS AND )  
LIABILITIES; (4) A SECURITIZATION FINANCING ORDER; )  
AND (5) ALL OTHER REQUIRED APPROVALS AND RELIEF )

**JOINT MOTION OF THE ATTORNEY GENERAL AND KIUC TO ALLOW OAG-KIUC WITNESSES TO TESTIFY REMOTELY ON A DATE CERTAIN; LIST OF WITNESSES TO BE CALLED AT HEARING**

The intervenors, the Attorney General of the Commonwealth of Kentucky, through his Office of Rate Intervention [“OAG”], and the Kentucky Industrial Utility Customers, Inc. [“KIUC,” jointly, “OAG-KIUC”], each by counsel, hereby provide notices that the witnesses they intend to call at the hearing are those who filed direct testimony in this docket jointly on behalf of OAG-KIUC, namely, Messrs. Kollen, Baron and Baudino. OAG-KIUC’s only preference in the order of calling these witnesses is that Mr. Baron be allowed to testify first.

Further, OAG-KIUC respectfully request that this Commission allow their joint witnesses Kollen, Baron, and Baudino [“Joint Witnesses”] to testify remotely via the Commission’s internet facilities on a date certain at the evidentiary hearing in this matter, scheduled to begin on November 28, 2023. In support of this motion, OAG-KIUC state:

On October 2, 2023, the direct testimony of Joint Witnesses was filed in this matter. Data Requests addressed to the Joint Witnesses were propounded on October 13, 2023 from Commission Staff, and on October 16, 2023 from Kentucky Power Company [“KPCo” or “the Company”]. The Joint Witnesses’ responses to all data requests were filed on October 30, 2023. Over the past several weeks, the parties have engaged in settlement discussions,

which culminated with all parties except OAG and SWVA Kentucky, LLC [“SWVA”] entering into a stipulation and settlement.<sup>1</sup> On November 20, 2023 the Company will file a motion requesting that the Commission accept that joint stipulated settlement. Given that a settlement stipulation has been agreed to among all parties except OAG and SWVA, and that OAG will neither oppose the settlement nor cross-examine any other witnesses, the Joint Witnesses cannot provide any new testimony except for any professional opinions they may have regarding the reasonableness of the tendered settlement stipulation. Therefore, OAG-KIUC request that the Joint Witnesses be allowed to provide such testimony remotely on a date certain at the evidentiary hearing, scheduled to begin on November 28, 2023.

In further support of this motion, OAG-KIUC advise that Witness Baron has multiple scheduling conflicts during the week of November 27 – December 2, 2023, as he is scheduled to testify in three separate proceedings in three separate states, and for that reason can provide remote testimony only on November 28<sup>th</sup> or 29<sup>th</sup>. Additionally, Witness Kollen is scheduled to testify in hearings in another state the following week.

WHEREFORE, OAG-KIUC respectfully request that the Commission grant their motion.

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<sup>1</sup> Although OAG did not sign onto the settlement stipulation, it will not oppose the settlement and accordingly, will not cross-examine any witnesses at the evidentiary hearing.

Respectfully submitted,  
**DANIEL CAMERON**  
**ATTORNEY GENERAL**



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-and-

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***Certificate of Service***

Pursuant to the Commission's Orders in Case No. 2020-00085, and in accord with all other applicable law, Counsel certifies that an electronic copy of the forgoing was served and filed by e-mail to the parties of record.

This 20<sup>th</sup> day of November, 2023



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Assistant Attorney General