

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF EAST)	
KENTUCKY POWER COOPERATIVE INC. FOR)	
APPROVAL TO AMEND ITS ENVIROMENTAL)	CASE NO.
COMPLIANCE PLAN AND RECOVER COSTS)	2023-00177
PURSUANT TO ITS ENVIROMENTAL)	
SURCHARGE, AND FOR ISSUANCE OF)	
CERTIFICATES OF PUBLIC CONVENIENCE)	
AND NECESSITY AND OTHER RELIEF)	

MOTION TO SUBMIT

Comes now East Kentucky Power Cooperative, Inc. (“EKPC”), by and through counsel, pursuant to the July 31, 2023 Order (“July 31st Order”) of the Kentucky Public Service Commission (“Commission”) other applicable law, and for its Motion to Submit this case for an adjudication based upon the existing administrative record and without a formal evidentiary hearing, respectfully states as follows:

The Commission’s July 31st Order set forth the procedural schedule for this proceeding. The Commission issued its initial set of information requests on August 15, 2023, which were answered by EKPC on August 29, 2023. The Commission issued supplemental requests for information on September 11, 2023 to which EKPC provided responses on September 26, 2023. There are no intervenors in this proceeding and the remainder of the items contained in the procedural schedule pertain to intervenors. The July 31st Order allows EKPC to request or waive a hearing on or before November 14, 2023. EKPC believes that the issues presented in this case

are straightforward and have been adequately addressed through the written discovery and the Motion for Confidential Treatment that was filed contemporaneous with EKPC's responses. The interests of administrative economy favor avoiding a formal hearing when it would be unlikely to result in the development of any additional facts. Moreover, EKPC is unaware of any contested issues for which clarification might be necessary or advisable. Accordingly, EKPC does not believe that a formal evidentiary hearing is necessary in this case and moves to submit the case for an adjudication based upon the existing administrative record without a formal evidentiary hearing.

WHEREFORE, on the basis of the foregoing, EKPC respectfully moves to submit this case for an adjudication based upon the existing administrative record and without a formal evidentiary hearing.

This 6th day of October, 2023.

Respectfully submitted,

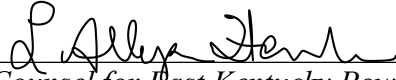


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CERTIFICATE OF SERVICE

This is to certify that the foregoing electronic filing was transmitted to the Commission on October 6, 2023 and that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding. Pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085 no paper copies of this filing will be filed.



Counsel for East Kentucky Power Cooperative, Inc.