

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

**In the Matter of:**

**ELECTRONIC APPLICATION OF EAST )  
KENTUCKY POWER COOPERATIVE, INC. )  
FOR CERTIFICATES OF PUBLIC )  
CONVENIENCE AND NECESSITY AND )  
SITE COMPATIBILITY CERTIFICATES )  
FOR THE CONSTRUCTION OF A 96 MW )  
(NOMINAL) SOLAR FACILITY IN MARION )  
COUNTY, KENTUCKY AND A 40 MW )  
(NOMINAL) SOLAR FACILITY IN FAYETTE )  
COUNTY, KENTUCKY AND APPROVAL OF )  
CERTAIN ASSUMPTION OF EVIDENCES )  
OF INDEBTEDNESS RELATED TO THE )  
SOLAR FACILITIES AND OTHER RELIEF )**

**CASE NO.**  
**2024-00129**

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**MOTION TO SUBMIT**

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Comes now East Kentucky Power Cooperative, Inc., (“EKPC” or the Company”) by and through the undersigned counsel, pursuant to the Kentucky Public Service Commission’s May 14, 2024 Order (“May 14<sup>th</sup> Order”) and other applicable law, and for its Motion to Submit this matter for an adjudication based upon the existing administrative record and without a formal evidentiary hearing respectfully states as follows:

On April 26, 2024, EKPC submitted an Application for two Certificates of Public Convenience and Necessity (“CPCN”) to construct two solar facilities, Site Compatibility Certificates (“Certificates”) and the approval to assume leases associated with one of the solar facilities. On May 14, 2024, the Commission entered an Order establishing the procedural schedule for this proceeding. EKPC has responded to three rounds of discovery from Commission Staff as well as two rounds of discovery from the intervenors in this proceeding, Lexington-Fayette Urban County Government (“LFUCG”) and Fayette Alliance, Inc. (“FA”). The procedural

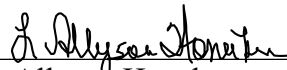
schedule established July 19, 2024 as the date for the intervenors to file testimony in this proceeding. Neither LFUCG nor FA filed any testimony. The Commission established August 28, 2024 as the date for the parties to request a hearing or to submit this matter for a decision based upon the existing administrative records.

EKPC believes that the issues presented in this case are straightforward and have been adequately addressed through the written discovery. 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. However, in the event that either intervenor requests a hearing or the Commission determines on its own motion that a hearing is necessary, EKPC reserves the right to participate fully therein.

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 the 16<sup>th</sup> day of August, 2024.

Respectfully Submitted,



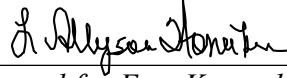
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**CERTIFICATE OF SERVICE**

This is to certify that the foregoing electronic filing was transmitted to the Commission on August 16, 2024, and that there are no parties that the Commission has excused from participation by electronic means in this proceeding. Pursuant to prior Commission Orders, no paper copies of this filing will be made.



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*Counsel for East Kentucky Power Cooperative, Inc.*