## COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:	
	)
	)
	)
ELECTRONIC APPLICATION OF EAST	)
KENTUCKY POWER COOPERATIVE, INC.	) Case No. 2024-00310
FOR 1) A CERTIFICATE OF PUBLIC	)
CONVENIENCE AND NECESSITY TO	)
CONSTRUCT A NEW GENERATION	)
RESOURCE; 2) A SITE COMPATIBILITY	)
<b>CERTIFICATE</b> ; AND 3) OTHER GENERAL	)
RELIEF	)

#### SIERRA CLUB'S NOTICE IN LIEU OF RESPONSE BRIEF

Notice is hereby given that Sierra Club, consistent with the Commission's March 20, 2025 Order in this matter, is not filing an optional Response Brief. Sierra Club is not conceding any arguments raised in its Post Hearing Brief, nor the validity of arguments raised by other parties in their Post Hearing Briefs. Rather, none of the parties' Post Hearing Briefs addressed Sierra Club's arguments. The arguments purporting to counter Sierra Club's positions instead raised issues Sierra Club did not address and failed to cite to record evidence. Sierra Club thus continues to seek the same relief sought in its Post Hearing Brief.

For the reasons set out in Sierra Club's Post Hearing Brief, Sierra Club respectfully requests the Commission deny EKPC's proposed CPCN.

Dated: April 18, 2025

<sup>&</sup>lt;sup>1</sup> See EKPC, Post Hearing Brief, p. 22, n. 117 (asserting Sierra Club raised demand and battery storage issues, citing to "Cite DRs and hearing testimony.").

#### Respectfully submitted,

## /s/ Joe F. Childers

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### /s/ Bethany Baxter

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# **CERTIFICATE OF SERVICE**

This is to certify that the foregoing copy of Sierra Club's Notice In Lieu of Response

Brief in this action is being electronically transmitted to the Commission on April 18, 2025, and
that there are currently no parties that the Commission has excused from participation by
electronic means in this proceeding.

/s/ Joe F. Childers
JOE F. CHILDERS