

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE ELECTRONIC APPLICATION OF)	
EAST KENTUCKY POWER COOPERATIVE,)	
INC. FOR 1) A CERTIFICATE OF PUBLIC)	CASE NO.
CONVENIENCE AND NECESSITY TO)	2024-00310
CONSTRUCT A NEW GENERATION)	
RESOURCE; 2) A SITE COMPATIBILITY)	
CERTIFICATE; AND 3) OTHER GENERAL RELIEF)	

MOTION TO SUBMIT

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 October 9, 2024 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 September 20, 2024, EKPC submitted an Application for a Certificate of Public Convenience and Necessity (“CPCN”) to construct a new generation resource (“RICE units”) and a site compatibility certificate for the project. On October 9, 2024, the Commission entered an Order establishing the procedural schedule for this proceeding. The Attorney General, through the Office of Rate Intervention (“Attorney General”), Nucor Steel Gallatin (“Nucor”), the Sierra Club (“Sierra Club”), and the Mountain Association together with Kentuckians for the Commonwealth (“Joint Intervenors”) were granted intervention by the Commission. EKPC has responded to two rounds of discovery from Commission Staff as well as two rounds of discovery from the intervenors in this proceeding.

The procedural schedule established January 6, 2025 as the date for the intervenors to file testimony in this proceeding. No party that was granted intervention filed any written testimony in this proceeding. The Commission established February 25, 2025 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. EKPC has responded completely to the requests for information from all parties throughout this proceeding. No intervenors have filed any written testimony into the record. There have been no public comments or request for local meetings. Therefore, there will not be any information presented at the hearing the intervenors did not already have the opportunity to ask EKPC questions about. The hearing would not assist the Commission in developing the administrative record in any meaningful way. 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 10th day of January, 2025.

Respectfully Submitted,

Heather S. Temple

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CERTIFICATE OF SERVICE

This is to certify that the foregoing electronic filing was transmitted to the Commission on January 10, 2025, 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.

Heather S. Temple

Counsel for East Kentucky Power Cooperative, Inc.