

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

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

INITIAL DATA REQUESTS OF THE ATTORNEY GENERAL

Comes now the Attorney General of the Commonwealth of Kentucky, by his Office of Rate Intervention (“Attorney General”), and submits these Data Requests to East Kentucky Power Cooperative, Inc. (hereinafter “EKPC,” or “company”) to be answered by November 12, 2024, in accord with the following:

- (1) In each case where a request seeks data provided in response to a staff request, reference to the appropriate requested item will be deemed a satisfactory response.
- (2) Identify the witness who will be prepared to answer questions concerning each request.
- (3) Repeat the question to which each response is intended to refer.
- (4) These requests shall be deemed continuing so as to require further and supplemental responses if the companies receive or generate additional information within the scope of these requests between the time of the response

and the time of any hearing conducted hereon.

(5) Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

(6) If you believe any request appears confusing, please request clarification directly from undersigned Counsel.

(7) To the extent that the specific document, workpaper or information as requested does not exist, but a similar document, workpaper or information does exist, provide the similar document, workpaper, or information.

(8) To the extent that any request may be answered by way of a computer printout, please identify each variable contained in the printout which would not be self-evident to a person not familiar with the printout.

(9) If the company has objections to any request on the grounds that the requested information is proprietary in nature, or for any other reason, notify undersigned Counsel as soon as possible, and in accordance with Commission direction.

(10) As used herein, the words "document" or "documents" are to be construed broadly and shall mean the original of the same (and all non-identical copies or drafts thereof) and if the original is not available, the best copy available. These terms shall include all information recorded in any written, graphic or other tangible form and shall include, without limiting the generality of the foregoing,

all reports; memoranda; books or notebooks; written or recorded statements, interviews, affidavits and depositions; all letters or correspondence; telegrams, cables and telex messages; contracts, leases, insurance policies or other agreements; warnings and caution/hazard notices or labels; mechanical and electronic recordings and all information so stored, or transcripts of such recordings; calendars, appointment books, schedules, agendas and diary entries; notes or memoranda of conversations (telephonic or otherwise), meetings or conferences; legal pleadings and transcripts of legal proceedings; maps, models, charts, diagrams, graphs and other demonstrative materials; financial statements, annual reports, balance sheets and other accounting records; quotations or offers; bulletins, newsletters, pamphlets, brochures and all other similar publications; summaries or compilations of data; deeds, titles, or other instruments of ownership; blueprints and specifications; manuals, guidelines, regulations, procedures, policies and instructional materials of any type; photographs or pictures, film, microfilm and microfiche; videotapes; articles; announcements and notices of any type; surveys, studies, evaluations, tests and all research and development (R&D) materials; newspaper clippings and press releases; time cards, employee schedules or rosters, and other payroll records; cancelled checks, invoices, bills and receipts; and writings of any kind and all other tangible things upon which any handwriting, typing, printing, drawings, representations, graphic matter, magnetic or electrical impulses, or other forms of communication are recorded or produced, including audio and video recordings, computer stored

information (whether or not in printout form), computer-readable media or other electronically maintained or transmitted information regardless of the media or format in which they are stored, and all other rough drafts, revised drafts (including all handwritten notes or other marks on the same) and copies of documents as hereinbefore defined by whatever means made.

(11) For any document withheld on the basis of privilege, state the following: date; author; addressee; indicated or blind copies; all persons to whom distributed, shown, or explained; and, the nature and legal basis for the privilege asserted.

(12) In the event any document called for has been destroyed or transferred beyond the control of the company, please state: the identity of the person by whom it was destroyed or transferred, and the person authorizing the destruction or transfer; the time, place, and method of destruction or transfer; and, the reason(s) for its destruction or transfer. If destroyed or disposed of by operation of a retention policy, state the retention policy.

(13) Provide written responses, together with any and all exhibits pertaining thereto, in one or more bound volumes, separately indexed and tabbed by each response, in compliance with Kentucky Public Service Commission Regulations.

(14) "And" and "or" should be considered to be both conjunctive and disjunctive, unless specifically stated otherwise.

(15) "Each" and "any" should be considered to be both singular and plural, unless specifically stated otherwise.

Respectfully submitted,

RUSSELL COLEMAN
ATTORNEY GENERAL



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Certificate of Service and Filing

Pursuant to the Commission's Orders and in accord with all other applicable law, Counsel certifies that, on October 28, 2024, an electronic copy of the foregoing was served via the Commission's electronic filing system.

this 28th day of October, 2024

A handwritten signature in blue ink, appearing to read "J. Michael New". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Assistant Attorney General

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

Data Requests

1. Provide copies of all workpapers supporting calculations at issue in this proceeding.
2. Provide copies of all confidential documents previously filed with the Commission in this proceeding.
3. Refer to the Direct Testimony of Don Mosier at 7 and Thomas Stachnik stating that the Liberty RICE Facility will require expenditure of capital costs of approximately \$500 million.
 - a. Provide an analysis of the rate impacts for the residential customer of average usage (of EKPC's distribution cooperative partners) related to the expenditure of these capital costs.
 - i. If necessary, demonstrate how those rate impacts will change over time as additional funds are expended.
 - b. Provide an analysis of the rate impacts for the residential customer of average usage (of EKPC's distribution cooperative partners) related to the expenditure of these capital costs and including projected fuel costs necessary to operate the units.
4. Refer to Direct Testimony of Darrin Adams.
 - a. Provide a detailed estimate of the costs associated with the transmission projects necessitated by the construction of the Liberty RICE facility.
 - b. Discuss how the costs associated with the transmission projects discussed by Mr. Adams will be allocated. Specifically, will the transmission costs be borne by EKPC ratepayers only or will any portion of the costs be allocated to other members of PJM.
 - c. Provide an analysis of the rate impacts for the residential customer of average usage (of EKPC's distribution cooperative partners) for the transmission projects discussed by Mr. Adams.
5. Provide all available forecasts of fuel costs (natural gas and the back-up ultra-low sulfur fuel oil) on which the Company relied in considering whether to undertake this project.
6. Will any additional ultra-low fuel oil be stored on site beyond the amount needed to run for 72 hours? If so, how much will be stored on site and how long will that amount allow the units to run.
7. Discuss whether the consideration of RICE technology is wholly driven by the addition of intermittent resources and whether less costly technology could be utilized but for the addition of intermittent resources.
8. See Attachment JJT-1 at 4. Discuss whether "replac[ing] aging coal resources with cleaner resources and/or market purchases" increases the affordability and reliability of the service received by ratepayers of EKPC's distribution cooperatives.

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- a. Specifically, confirm or deny whether EKPC takes the position that increasing reliance on market purchases will cause the service its ratepayers receive to be more affordable and reliable.
9. If the RICE Facility is not approved, what will EKPC do to ensure reliability of services for its members?