

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

In the Matter of:

Electronic Application Of Kentucky Power Company)	
For A Certificate Of Public Convenience And)	
Necessity To Replace and Upgrade Portions of the)	Case No. 2024-00343
Bellefonte Station In Boyd County, Kentucky)	
(Bellefonte Station Upgrade Project))	

**Kentucky Power Company's Response To November 20, 2024 Deficiency Notice,
Or In The Alternative, Request For Deviation**

Kentucky Power Company for its response to the Commission's November 20, 2024 Deficiency Notice ("Deficiency Notice") states:

Kentucky Power is filing as **EXHIBIT 1** to this filing its supplemental Application Exhibit 4 (General Arrangement Drawing) in response to the Commission's Deficiency Notice. The Deficiency Notice identified the following deficiency with the Company's Application:

"KRS 322.340: The engineering plans, specifications, etc. provided with application were not signed by an engineer registered in Kentucky."

Response: Kentucky Power filed with its application two separate exhibits that make up the "engineering plans" or "specifications" for the Bellefonte Station Upgrade Project. Application Exhibit 4 was comprised of a map of suitable scale illustrating the proposed Project (provided to satisfy the requirements of 807 KAR 5:001, Section 15(2)(d)(1)). Exhibit 4 contains a general arrangement drawing of the proposed station layout, which demonstrates how each of the components of the Bellefonte Station Upgrade Project, as described in the Application, are anticipated at this time to be situated and constructed. Exhibit 4 was prepared for and by Kentucky Power, by way of American Electric Power Service Corp., specifically for the Bellefonte Station Upgrade Project. Thus, Exhibit 4 was provided also to satisfy the

requirements of 807 KAR 5:001, Section 15(2)(d)(2), which requires “plans and specifications and drawings of the proposed plant, equipment, and facilities.”

Application Exhibit 5 is comprised of engineering specification drawings of the major individual components of the Bellefonte Station Upgrade Project. The specifications are demonstrative of the components that make up the general arrangement drawing of the proposed station layout (Exhibit 4). Exhibit 5 was provided to further satisfy the requirements of 807 KAR 5:001, Section 15(2)(d)(2), which requires plans specifications and drawings of the proposed plant, equipment, and facilities. All equipment specified in Exhibit 5 is standard transmission equipment used across the AEP system and is not unique to the Bellefonte Station Upgrade Project.

Kentucky Power respectfully avers that no Commission statute or regulation requires the engineering plans or specifications filed with applications for certificates of public convenience and necessity to be prepared and certified by a professional engineer licensed in Kentucky. The statute cited in the Deficiency Notice pertains to the obligations of professional engineers and professional land surveyors licensed in Kentucky to obtain a seal or stamp bearing his or her licensure information. KRS 322.340(3) does state that the stamp shall be used to provide certification for reports, specifications, drawing, and plans if presented to a governmental agency. However, no Commission statute or regulation requires a professional engineer to prepare and certify the plans or specifications required by 807 KAR 5:001, Section 15(2)(d)(2), which would in turn necessitate the stamp required by KRS 322.340. Nor has the Commission required Kentucky Power in the past to provide engineering plans or specifications prepared and signed by a professional engineer registered in Kentucky.

Nonetheless, Kentucky Power provides in response to the Deficiency Notice a supplemental Exhibit 4 (**EXHIBIT 1** hereto), which bears the signature of an engineer registered in Kentucky.¹

As stated previously, all equipment specified in Exhibit 5 is standard transmission equipment used across the AEP system and is not unique to the Bellefonte Station Upgrade Project. The individual pieces of equipment are designed and engineered by their respective manufacturers and would not be appropriate to be stamped by Kentucky Power or AEP's internal or consultant engineers. KRS 322.340(4), in fact, recognizes that a professional engineer's "seal or stamp and signature shall be used by licensees only if the work being stamped was under the licensee's complete direction and control." Thus, because the specifications for the standard transmission equipment contained in Exhibit 5 were designed by the manufacturer of each piece of equipment, Kentucky Power is unable to provide an Exhibit 5 that is signed or stamped by an engineer registered in Kentucky.

To the extent a deviation from this requirement is necessary with respect to Exhibit 5, Kentucky Power respectfully requests a deviation pursuant to 807 KAR 5:001, Section 22, and requests that the Commission accept supplemental Exhibit 4 and Exhibit 5 to satisfy the requirements of 807 KAR 5:001, Section 15(2)(d)(2).

Kentucky Power respectfully requests that the Commission issue an order finding that, with the actions described above, the Company's application is deemed to meet the filing requirements, and that the Commission accept the Company's Application for filing as of the date of this filing.

¹ Supplemental Exhibit 4 is a preliminary engineering drawing and does not represent the final plan for construction of the Bellefonte Station Upgrade Project. The design is subject to potential modification as some engineering occurs after the Company receives a CPCN to construct the project. As such, the professional engineer certifying supplemental Exhibit 4 can only certify the plans as preliminary drawings and not as final construction plans.

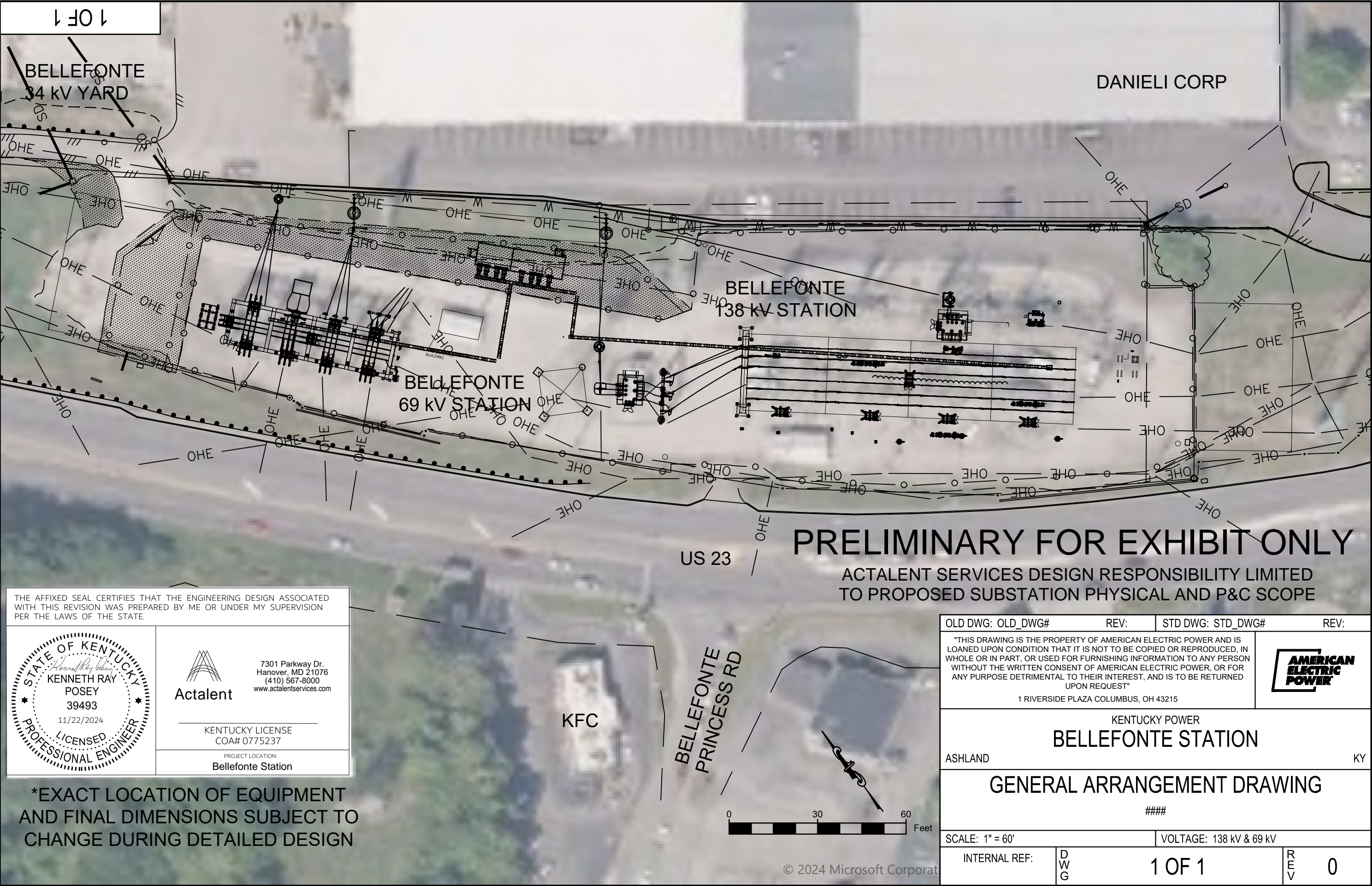
Respectfully submitted,



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