

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

In the Matter of:

ELECTRONIC APPLICATION OF EAST)	
KENTUCKY POWER COOPERATIVE, INC.)	
FOR 1) CERTIFICATES OF PUBLIC)	
CONVENIENCE AND NECESSITY TO)	
CONSTRUCT A NEW GENERATION)	
RESOURCES; 2) FOR A SITE)	CASE NO. 2024-00370
COMPATIBILITY CERTIFICATE RELATING TO)	
THE SAME; 3) APPROVAL OF DEMAND SIDE)	
MANAGEMENT TARIFFS; AND 4) OTHER)	
GENERAL RELIEF)	

**POST-HEARING REQUESTS FOR INFORMATION OF APPALACHIAN
CITIZENS LAW CENTER, KENTUCKIANS FOR THE
COMMONWEALTH, AND MOUNTAIN ASSOCIATION TO EAST
KENTUCKY POWER COOPERATIVE, INC.**

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Dated: April 25, 2025

DEFINITIONS

1. "Document" means the original and all copies (regardless of origin and whether or not including additional writing thereon or attached thereto) of any memoranda, reports, books, manuals, instructions, directives, records, forms, notes, letters, or notices, in whatever form, stored or contained in or on whatever medium, including digital media.
2. "Study" means any written, recorded, transcribed, taped, filmed, or graphic matter, however produced or reproduced, either formally or informally, a particular issue or situation, in whatever detail, whether or not the consideration of the issue or situation is in a preliminary stage, and whether or not the consideration was discontinued prior to completion.
3. "Person" means any natural person, corporation, professional corporation, partnership, association, joint venture, proprietorship, firm, or the other business enterprise or legal entity.
4. A request to identify a natural person means to state his or her full name and business address, and last known position and business affiliation at the time in question.
5. A request to identify a document means to state the date or dates, author or originator, subject matter, all addressees and recipients, type of document (e.g., letter, memorandum, telegram, chart, etc.), identifying number, and its present location and custodian. If any such document was but is no longer in the Company's possession or subject to its control, state what disposition was made of it and why it was so disposed.
6. A request to identify a person other than a natural person means to state its full name, the address of its principal office, and the type of entity.
7. "And" and "or" should be considered to be both conjunctive and disjunctive, unless specifically stated otherwise.
8. "Each" and "any" should be considered to be both singular and plural, unless specifically stated otherwise.
9. Words in the past tense should be considered to include the present, and words in the present tense include the past, unless specifically stated otherwise.
10. "You" or "your" means the person whose filed testimony is the subject of these data requests and, to the extent relevant and necessary to provide full and complete answers to any request, "you" or "your" may be deemed to include any other person with information relevant to any interrogatory who is or was

employed by or otherwise associated with the witness or who assisted, in any way, in the preparation of the witness' testimony.

11. "Company", "East Kentucky Power Cooperative", or "EKPC", means East Kentucky Power Cooperative, Inc., its parents or subsidiaries, and/or any of its officers, directors, employees or agents who may have knowledge of the particular matter addressed, and affiliated companies including member cooperatives.
12. "Joint Intervenors" means Appalachian Citizens Law Center, Kentuckians for the Commonwealth, and Mountain Association who have moved for the status of full intervention as joint intervenors in this matter.
13. Unless otherwise specified in each individual request the term "tariff" means the tariff as filed in this matter by EKPC.
14. "CCGT" means combined cycle gas turbine.
15. "CFB" means circulating fluidized bed.
16. "HVT" means hearing video transcript, specifically of the hearing in this matter on April 21 and 22, 2025.
17. "KU" means Kentucky Utilities Company.
18. "LG&E" means Louisville Gas & Electric Company.
19. "New ERA" means the Empowering Rural America program.
20. "PJM" means PJM Interconnection, LLC
21. "PSC" or "Commission" means the Kentucky Public Service Commission.
22. "RUS" means the Rural Utilities Service of USDA.
23. "USDA" means the United States Department of Agriculture.

INSTRUCTIONS

1. If any matter is evidenced by, referenced to, reflected by, represented by, or recorded in any document, please identify and produce for discovery and inspection each such document.
2. These requests for information are continuing in nature, and information which the responding party later becomes aware of, or has access to, and which is responsive to any request is to be made available to Joint Intervenors. Any studies, documents, or other subject matter not yet completed that will be relied upon during the course of this case should be so identified and provided as soon as they are completed. The Respondent is obliged to change, supplement and correct all answers to interrogatories to conform to available information, including such information as it first becomes available to the Respondent after the answers hereto are served.
3. Unless otherwise expressly provided, each data request should be construed independently and not with reference to any other interrogatory herein for purpose of limitation.
4. The answers provided should first restate the question asked and also identify the person(s) supplying the information.
5. Please answer each designated part of each information request separately. If you do not have complete information with respect to any interrogatory, so state and give as much information as you do have with respect to the matter inquired about and identify each person whom you believe may have additional information with respect thereto.
6. In the case of multiple witnesses, each interrogatory should be considered to apply to each witness who will testify to the information requested. Where copies of testimony, transcripts, or depositions are requested, each witness should respond individually to the information request.
7. Wherever the response to a request consists of a statement that the requested information is already available to Joint Intervenors, please provide a detailed citation to the document that contains the information. This citation shall include the title of the document, relevant page number(s), and, to the extent possible, paragraph number(s) and/or chart/table/figure number(s).
8. If you claim a privilege including, but not limited to, the attorney-client privilege or the work product doctrine, as grounds for not fully and completely responding to any discovery request, please describe the basis for your claim of privilege in sufficient detail so as to permit Joint Intervenors or the Commission to evaluate the validity of the claim. With respect to documents for which a privilege is claimed, please produce a "privilege log" that identifies the author, recipient, date,

and subject matter of the documents or interrogatory answers for which you are asserting a claim of privilege and any other information pertinent to the claim that would enable Joint Intervenors or the Commission to evaluate the validity of such claims.

9. Whenever the documents responsive to a discovery request consist of modeling files (including inputs or output) and/or workpapers, the files and workpapers should be provided in machine-readable electronic format (e.g., Microsoft Excel), with all formulas and cell references intact.
10. The interrogatories are to be answered under oath by the witness(es) responsible for the answer.

**POST-HEARING DATA REQUESTS PROPOUNDED TO
EAST KENTUCKY POWER COOPERATIVE, INC. BY
JOINT INTERVENORS**

Joint Intervenors hereby tender the following requests for information to the Company:

- 3.1. Please refer to the Hearing Video Transcript (HVT) in this matter on April 21, 2025 at 10:04:30 to 10:13:30, and provide:
 - a. EKPC's original project plan under the Empowering Rural America (New ERA) program.
 - b. The notice to EKPC from the United States Department of Agriculture (USDA) Rural Utilities Service (RUS) (or otherwise from the United States Government) notifying it that previously obligated funds under the New ERA were being released, sent or received on or about March 25, 2025.
 - c. The notice to EKPC from USDA, RUS, or other federal agency notifying EKPC that it had 30 calendar days to "review and voluntarily revise their project plans" under the New ERA program, sent or received on or about March 26, 2025.
 - d. Documentation of conversations between EKPC and USDA, RUS, or other federal agencies concerning planned changes to EKPC's project plan under the New ERA program, if any.
 - e. Changes submitted by EKPC to USDA, RUS, or other federal agencies to EKPC's project plan under the New ERA program, including any accompanying documentation, if any. Please continue to update the response to this request until the docket in this case is closed and removed from the Public Service Commission (PSC)'s docket.
 - f. If no changes have been submitted by EKPC to USDA, RUS, or other federal agencies regarding EKPC's project plan under the New ERA program, please explain why not, and provide the date (if applicable) by which EKPC intends to submit any changes, along with any documentation allowing an extension of the time referenced in subpart b., above.
- 3.2. Please refer to HVT April 21 at 10:22:25 to 10:24:50 and 11:36:45 to 11:49:20 and provide any contracts, commitment letters, and other documentation of EKPC's commitment with Siemens regarding the proposed Cooper combined cycle gas turbine (CCGT).
- 3.3. Please refer to HVT April 21 at 15:49:00 to 16:00:30 and produce all additional inputs provided to EKPC's financial analysis team for its 2024 Financial Forecast aside from those produced in response to JI Request 2.8 (including the supplement), and the response to Staff Request 1.24, including but not limited to generation model results, in machine-readable format, or the format used for input into the financial forecast (e.g., actual hourly modeling results as referenced at the hearing, rather than summary results).
- 3.4. Please refer to HVT April 21 at 16:41:30 to 16:45:00 and provide unredacted versions of each of EKPC's annual reports regarding its participation in the PJM Interconnection, LLC ("PJM") in Case No. 2012-00169, *Application of East*

Kentucky Power Cooperative, Inc. To Transfer Functional Control of Certain Transmission Facilities to PJM Interconnection, LLC.

- 3.5. Please refer to HVT April 21 at 10:18:00 to 10:20:00 and April 22 13:39:40 to 13:48:00, and provide:
 - a. any notice, letter, or other documentation from PJM to EKPC regarding the potential for \$50 million in transmission project savings if the interconnection injection rights of Cooper 1 are deactivated or otherwise transferred to the proposed Cooper CCGT project;
 - b. an update on the status of EKPC's applications to PJM under the Reliability Resource Initiative (RRI). Please continue to update the response to this request until the docket in this case is closed and removed from the Public Service Commission (PSC)'s docket; and
 - c. an itemized accounting of all penalties or payments to and rewards, bonuses, or payments from PJM related to performance assessment intervals (PAIs), and any insurance payments to EKPC related to PAIs.
- 3.6. Refer to Nucor's post-hearing data request 2.2, and to EKPC's responses to JI 1-14 and JI 2-10. To the extent that EKPC produces in response to the Nucor request any data, documents, or other information supporting the \$450,000/MWh cost estimate for a 100 MW BESS that was not provided in response to the referenced JI requests, explain why such data, documents, or other information was not previously produced to JIs.
- 3.7. Refer to Nucor's post-hearing data request 2.1. To the extent that EKPC identifies in its response an average rate increase that would result from the projects that are the subject of this case, identify and produce any modeling input and output files, workpapers, workbooks, data, and assumptions used in calculating such average rate increase.
- 3.8. Refer to HVT April 22 at 15:28:50 to 15:32:48, along with the Rebuttal Testimony of Julia Tucker at p. 6 lines 13-17. Identify the amount of load in the EKPC Zone that is served by American Electric Power or KU/LG&E.
- 3.9. Please refer to HVT April 21 at 11:58:05 to 12:02:25, along with Application Attachment BY-1 (Appendix P - RISK MATRIX), PDF p. 395, line 026, which reads in relevant part: "estimated values of escalation have been communicated which include 4 to 5% escalation per annum for labor, equipment and materials through execution, assuming project starts today as per the execution schedule."
 - a. Identify and produce all communication between Burns & McDonnell and the Company pertaining to Burns & McDonnell's estimated values of escalation, along with other documentation pertaining to Burns & McDonnell's estimated values of escalation.
 - b. Identify and produce any modeling input and output files, workpapers, workbooks, data, and assumptions used in calculating the referenced estimated values of escalation.

- 3.10. Please refer to HVT April 21 at 12:02:30 to 12:06:55, along with Application Attachment BY-1 at 7-14, which reads in relevant part: “Owner’s cost contingency of ten percent was included for all Owner’s costs except transmission network upgrade projects, per EKPC’s direction.”
 - a. Specify the size of the owner’s contingency that was included for transmission network upgrade projects.
 - b. Identify and produce any modeling input and output files, workpapers, workbooks, data, and assumptions used in calculating the owner’s contingency for transmission network upgrade projects.
 - c. Identify and produce any modeling input and output files, workpapers, workbooks, data, and assumptions used in calculating the owner’s contingency for Owner’s costs other than transmission network upgrade projects.
- 3.11. Please refer to HVT April 21 at 13:40:30 to 13:43:25 and identify the circulating fluidized bed (“CFB”) units where natural gas co-firing has occurred, along with the size in MW of any such units and the percent of gas co-firing at such units.
- 3.12. Please refer to HVT April 21 at 16:00:40 to 16:05:05, along with EKPC’s Response to Attorney General Request 1-5.
 - a. For each of the Spurlock and Cooper gas pipeline expansion projects, identify the total cost per year reflected in EKPC’s 2024 Financial Forecast, and state whether those costs were reflected as capital, fuel, O&M, or some other category of cost.
 - b. Specify the monetary impact that each gas pipeline expansion project will have on the total cost of supplying gas to the Spurlock and Cooper units, and identify and produce all modeling input and output files, workpapers, workbooks, data, and assumptions used in calculating the monetary impacts of the gas pipeline expansion projects.
 - c. Specify the cost that EKPC members will bear as a result of the pipeline expansion project for Spurlock Station, and identify and produce all modeling input and output files, workpapers, workbooks, data, and assumptions used in calculating that cost.
 - d. Specify the cost that EKPC members will bear as a result of the pipeline expansion project for Cooper Station, and identify and produce all modeling input and output files, workpapers, workbooks, data, and assumptions used in calculating that cost.

Respectfully Submitted,



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CERTIFICATE OF SERVICE

In accordance with the Commission's July 22, 2021 Order in Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19*, this is to certify that the electronic filing was submitted to the Commission on April 25, 2025; that the documents in this electronic filing are a true representation of the materials prepared for the filing; and that the Commission has not excused any party from electronic filing procedures for this case at this time.



Byron L. Gary