

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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

EAST KENTUCKY POWER COOPERATIVE’S FIRST REQUEST
FOR INFORMATION TO THE JOINT INTERVENORS
DATED MARCH 4, 2025

I. DEFINITIONS AND INSTRUCTIONS

1. With respect to each discovery request, all information is to be divulged that is within the knowledge, possession or control of the parties to whom it is addressed, including their agents, employees, advisors, consultants, attorneys and/or investigators.

2. Please identify the witness(es) who will be prepared to answer questions concerning each request.

3. These requests shall be deemed continuing so as to require further and supplemental responses if the party receives or generates additional information within the scope of these requests between the time of the response and the time of any hearing conducted hereon.

4. All answers must be separately and fully stated in writing under oath.

5. Where a data request calls for an answer in more than one part, each part should be separated in the answer so that the answer is clearly understandable.

6. If any request appears confusing, please request clarification directly from counsel for East Kentucky Power Cooperative, Inc. ("EKPC").

7. For purpose of these discovery requests, the following terms shall have meanings set forth below:

- (a) As used herein, "document," "documentation" and/or "record," whether stated as the singular or the plural, means any course of binders, book, pamphlet, periodical, letter, correspondence, memoranda, including but not limited to, any memorandum or report of a meeting or telephone or other conversation, invoice, account, credit memo, debit memo, financial statement, general ledger, ledger, journal, work papers, account work papers, report, diary, telegram, record, contract, agreement, study, draft,

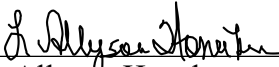
telex, handwritten or other note, sketch, picture, photograph, plan, chart, paper, graph, index, tape, data processing card, data processing disc, data cells or sheet, check acceptance draft, e-mail, studies, analyses, contracts, estimates, summaries, statistical statements, analytical records, reports and/or summaries of investigations, opinions or reports of consultants, opinions or reports of accountants, trade letters, comparisons, brochures, pamphlets, circulars, bulletins, notices, forecasts, electronic communication, printouts, all other data compilations from which information can be obtained (translated if necessary by defendants into usable form), any preliminary versions, drafts or revisions of any of the foregoing, and/or any other written, recorded, transcribed, punched, taped, filmed or graphic matter, however produced or reproduced and regardless of origin or location, in the possession, custody and/or control of the defendant and/or their agents, accountants, employees, representatives and/or attorneys. "Document" and "record" also mean all copies of documents by whatever means made, if the copy bears any other markings or notations not found on the original.

- (b) The terms "relating to," "referring to," "referred to," "pertaining to," "pertained to" and "relates to" means referring to, reporting, embodying, establishing, evidencing, comprising, connected with, commenting on, responding to, showing, describing, analyzing, reflecting, presenting and/or constituting and/or in any way involving.

- (c) The terms “and,” “or,” and “and/or” within the meaning of this document shall include each other and shall be both inclusive and disjunctive and shall be construed to require production of all documents, as above-described, in the broadest possible fashion and manner.
- (d) Unless otherwise noted, the term “JI” or “Joint Intervenors” shall mean Appalachian Citizens’ Law Center, Kentuckians for the Commonwealth, and Mountain Association and shall include, but is not limited to, each and every employee, advisor, consultant and/or attorney of Appalachian Citizens’ Law Center, Kentuckians for the Commonwealth, and Mountain Association. The term “you” shall be deemed to refer to the Appalachian Citizens’ Law Center, Kentuckians for the Commonwealth, and Mountain Association.
- (e) The term “Commission” shall mean the Kentucky Public Service Commission.
- (f) To “identify” shall mean:
 - (1) With respect to a document, to state its date, its author, its type (for example, letter, memorandum, chart, photograph, sound reproduction, etc.), its subject matter, its present location, and the name of its present custodian. The document may be produced in lieu of supplying the foregoing information. For each document which contains information as privileged or otherwise excludable from discovery, there shall be included a statement as to the basis for such claim of privilege or other grounds for exclusion.

- (2) With regard to a natural person, to state his or her full name, last known employer or business affiliation, title and last known home address.
 - (3) With regard to a person other than a natural person, state the title of that person, any trade name, or corporate name or partnership name used by that person, and the principal business address of that person.
 - (g) To “produce” or to “identify and produce,” shall mean that Company shall produce each document or other requested tangible thing. For each tangible thing which Company contends is privileged or otherwise excludable from discovery, there shall be included a statement as to the basis for such claim of privilege or other grounds for exclusion.
 - (h) The terms “Party or Parties” shall mean any organization, person, corporation, entity, etc., which intervened in the above-captioned proceeding and shall further include the Commission Staff.
8. The information requested herein shall be filed no later than February 24, 2025.

Respectfully submitted,



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Counsel for East Kentucky Power Cooperative, Inc.

1. Referring to the Direct Testimony of Elizabeth A. Stanton page 18 of 51 lines 1-8:
 - a. Please explain how a member of PJM can purchase “market capacity from PJM for 1 to 8 hours” if the only product currently offered by PJM through the base residual auction market is an annual product?
 - b. Reconcile these lines with the following from the PSC in Case 2022-00402 page 177 and Case 2021-00198 page 5 footnote 10:

“... the Commission finds that joining a market to address generation retirement is not in conformity with the law, and places customers at significant risk of unmitigable costs and reliability concerns. As this body has said in other proceedings, **“This Commission has no interest in allowing our regulated, vertically integrated utilities to effectively depend on the market for generation or capacity for any sustained period of time.”** [Emphasis added]

- c. Is it appropriate to rely on the market to serve EKPC’s native load without having secured firm resources to provide for that load in extreme circumstances?
 - d. Define a peaking resource?
 - i. Does Liberty RICE meet that definition?
2. Referring to the Direct Testimony of Elizabeth A. Stanton page 16 of 51 lines 13-16:
 - a. Based on the last three EKPC peaks (3,747 MW on December 23, 2022; 3,754 MW on January 17, 2024; and 3,744 MW on January 22, 2025), explain what target EKPC should be aiming to supply?

- b. If PJM's load forecast is identified as the target, how is PJM's load forecast reconciled with the last 3 peaks of EKPC?
 - c. Would planning for PJM's Winter Peak load satisfy the commissions stated interests in question 1b?
- 3. Referring to the Direct Testimony of Elizabeth A. Stanton page 7 of 51 lines 17-18 and page 8 of 51 lines 1-2:
 - a. What do you consider opaque and unverified in EKPC's Winter Peak load?
 - b. Do you believe that load is impacted by weather?
 - c. How much do you think weather impacts load?
- 4. Referring to the Direct Testimony of Elizabeth A. Stanton page 9 lines 4-12, page 10 figure 2, page 14 figure 3, CONFIDENTIAL Figure 5 on page 26 of 51, and page 11 of 51 line 3-4:
 - a. Explain the difference between demand and energy?
 - b. On page 9 of 51 line 6 explain the "three annual demand projects (2020, 2022, and 2024, see Figure 2) ..."?
 - c. Reconcile the statement on page 18 of 51 lines 11 – 16 with Figure 3 on Page 14 of 51 and explain how the historical peak is greater than the 2019 forecast and 2022 forecast?
- 5. Referring to the Direct Testimony of Elizabeth A. Stanton page 16 of 51 line 5-19:
 - a. Identify in East Kentucky's data where ELCC is applied to winter capacity values?
 - b. Explain how a utility should plan to just meet its projected peak load with no reserves to account for weather extremes or generation unit unavailability?

6. Referring to the direct testimony of Elizabeth A. Stanton page 17 of 51 lines 4-7:
 - a. How many hours per year is it ok to exceed a utility's installed capacity?
 - b. How many hours per year is it acceptable to shut off peoples' winter heat?
 - c. When is it acceptable for a utility to plan to have rolling black outs as opposed to planning for having adequate resources?
 - d. How many hours did EKPC exceed its available capacity in 2022, 2023, and 2024?
 - e. How many hours will EKPC exceed its forecast peak from 2031 thru 2039 without the addition of the Cooper CCGT?
 - f. How many hours will EKPC exceed its forecast peak from 2028 thru 2039 without the addition of the Liberty RICE?
 - g. How many hours will EKPC exceed its forecast peak from 2028 thru 2039 without the additions of both Cooper CCGT and Liberty RICE?
7. Referring to the direct testimony of Elizabeth A. Stanton page 38, lines 8-12: If the pump storage could not be recharged from the grid (meaning the pumps could not be turned on to refill the reservoir thus becoming a load) because excess power wasn't available, how would the expert witness suggest the BESS would be recharged (meaning the BESS becomes a load to recharge the batteries) in such a situation for the BESS to be a reliable capacity resource?
8. The electric grid in Kentucky was in need of 48 hours of reliable capacity during storm Elliott. How many hours of constant BESS discharge is needed to conclude that a BESS is a reliable capacity resource?

9. Referring to the direct testimony of Elizabeth A. Stanton page 39, line 14 through page 40 line 11: What time of the day does EKPC peak during the winter?
10. Referring to the direct testimony of Elizabeth A. Stanton page 40, lines 13&14: Does the expert witness testify that the only requirement for a capacity resource is to meet PJMs definition and compensation requirements even if the BESS plus solar is exhausted and can't keep the lights on in Kentucky due to long duration needs of those resources and their availability not coinciding with the peak capacity needs of EKPC in Kentucky?
11. Referring to the direct testimony of Elizabeth A. Stanton page 41, lines 9-12: How does the EIR loan program that EKPC excluded causing an overstatement of renewable energy costs when EKPC has access and will use lower interest loans than is available through EIR.
12. Reconcile the direct testimony of Julia J. Tucker page 19 lines 1-4 and the Direct Testimony of Elizabeth A. Stanton page 19 of 51 lines 17-22.
13. How do you believe that PJM forecasts EKPC winter peak?
14. Referring to the direct testimony of Elizabeth A. Stanton on page 31 to 51 lines 8-17:
 - a. Explain how EKPC's peak is coincident with PJM's other members?
 - b. Does PJM have an obligation to serve load in Kentucky?
 - c. Did PJM have sufficient resources to ensure that the needs of the winter peak were met during Winter Storm Elliot in December 2022 (refer to AG DR#1 response 10)?
15. Refer to the Direct Testimony of Maria Roumpani concerning the ACEEE Scorecard referred to on Page 14 line 15 through Page 15 line 4:
 - a. How many utilities are included in the Scorecard?

- b. How many of those are electric cooperatives? Generation and Transmission cooperatives?
- c. How many of these Scorecard utilities have under 750,000 retail customers?
- d. How many have none_of the following:
 - i. A DSM surcharge
 - ii. Decoupling
 - iii. A utility incentive for DSM performance

16. Refer to the Direct Testimony of Maria Roumpani Page 3 lines 5-7:

- a. Are the incentives for the proposed DSM programs the same as they have been historically? Are they higher or lower?
- b. Are the EKPC budgets in this DSM portfolio the same as historical DSM budgets? Are they higher or lower?

17. Refer to the Direct Testimony of Maria Roumpani Page 3 lines 13-14, have EKPC's Energy Efficiency ("EE") offerings been designed to address EKPC's winter capacity need?

18. Refer to the Direct Testimony of Maria Roumpani Page 3 lines 15-16:

- a. Which ACEEE Scorecard utilities EE offerings have achieved all of the economic savings' potential for all end uses?
- b. All of the achievable savings' potential?

19. Refer to the Direct Testimony of Maria Roumpani Page 3 lines 17-18:

- a. What share of measure costs is optimal for the incentives?
- b. How would the witness characterize the optimal incentive levels when compared to measure costs?

20. Refer to the Direct Testimony of Maria Roumpani Page 4 lines 21-22:
- a. Is EKPC proposing any programs that target inefficient electric heating and cooling equipment?
 - b. Water heating equipment?
21. Refer to the Direct Testimony of Maria Roumpani Page 5 lines 30-34:
- a. How many of the ACEEE Scorecard utilities allow DSM resources to be a selectable resource together with supply-side resources in resource optimization modeling?
 - b. How many of the ACEEE Scorecard utilities account for DSM resources in resource planning as a reduction in forecast load?
 - c. How many do neither?
22. Refer to the Direct Testimony of Maria Roumpani Page 9 lines 10-11, please reconcile the 0.4% of EKPC retail sales with Figure 1 on Page 15.
23. Refer to the Direct Testimony of Maria Roumpani Page 13 lines 5-8:
- a. Do tax credits provide an additional incentive for residential customers to install energy efficiency measures?
 - b. What Participant Cost benefit-cost ratio is sufficient to induce homeowners to participate in an energy efficiency program? Please provide quantitative evidence to support your recommendation.
24. Refer to the Direct Testimony of Maria Roumpani Page 13 lines 13-17, what is the basis for your claim that critical peak pricing is among the lowest barrier programs? Which barriers did you include?

25. Concerning page 13 line 20 through page 14 line 2, please reconcile your statement that EKPC ignores cost-effective potential to reduce energy demand during peak periods with the impacts on winter peak provided in the table on page 19 line 1 of Drake's Direct Testimony.
26. Please reconcile Page 14 lines 14-15 of Roumpani's Direct Testimony with Page 9 lines 10-11.
27. Please provide the equivalent of Figure 1 on page 15 line 3 but for EKPCs peer group: G&T cooperatives and other utilities in Kentucky. Please include the EKPC data in it.
28. Please reconcile the statement on lines 1-2 of Page 16 "EKPC's plan does not appear to be meaningfully informed by the 2024 Potential Study" with Table 1 on Page 8, which shows the addition of four new DSM programs as well as new measures for an existing program. See Drake page 10 line 11 through page 12 line 22 for more details on these additions.
29. Refer to the Direct Testimony of Maria Roumpani page 22, lines 7-9 (including footnote 29):
 - a. Please provide the reference and/or calculations for the \$75/ kW winter and \$30.83 cost of demand savings.
 - b. Refer to Table 57-ii in EKPC's response to data request JI1.57. Please confirm that the \$174.60 per kW-year is allocated between winter and summer peaks. What are the avoided generation capacity costs for winter and summer respectively in 2030?
30. Refer to the Direct Testimony of Maria Roumpani page 23 lines 11-16, refer to EKPC's response to DR JI 1.51, Please provide the avoided generation capacity costs (summer

and winter respectively) and winter on-peak energy costs for the years 2022 and 2023 in the 2022 IRP.

31. Refer to the Direct Testimony of Maria Roumpani page 24 line 19 through page 25 line 3:
 - a. Refer to the Summary sheets which are given in Attachment SD-9 of the original application filing. Verify that the DSM portfolio TRC costs are over 145% of the Utility Cost test costs.
 - b. How much would the DSM portfolio with the same magnitude of demand and energy savings cost using the TRC costs instead of the utility program costs?
32. Refer to the Direct Testimony of Maria Roumpani page 25 lines 15-16, do supply-side additions make the grid less vulnerable to outages?
33. Concerning Roumpani page 26 lines 1-2:
 - a. How do DSM resources reduce exposure to fuel price volatility?
 - b. How do DSM resources increase fuel diversity?
 - c. Can new supply resources increase fuel diversity?
34. Refer to the Direct Testimony of Maria Roumpani page 28 lines 10-14:
 - a. Please refer to EKPC response to DR JI Q 2.55 (g). For energy efficiency measures, what is the ratio of cumulative Winter MW savings to Summer MW savings by the year 2030? Verify that the ratio is over 200%.
 - b. Would this indicate that EKPC is targeting programs that provide relatively high winter season impacts?
35. Refer to the Direct Testimony of Maria Roumpani page 31 Table 6:
 - a. Does the Cost (\$/kWh) include Participant costs, EKPC costs, or both?

- b. Are participant costs included in the TRC test?
36. Refer to the Direct Testimony of Maria Roumpani page 31 line 8 through page 32 line 6:
- a. What percentage of measure costs do you recommend for rebates? For rebates and tax credits combined?
 - b. For the Heat Pump Retrofit program, what is the EKPC rebate as a percentage of participant costs for each option (Federal Standard, ENERGY STAR, Mini-split)?
 - c. What is the combined incentive of EKPC rebates and Federal tax credits as a percentage of participant costs for each option in the Heat Pump Retrofit program?
 - d. What is the participant benefit-cost ratio for each option in the Heat Pump Retrofit program?
37. Refer to the Direct Testimony of Maria Roumpani page 39 lines 10-13:
- a. What is the basis for your assertion that lowering setpoints during winter peaks would not materially impact participant comfort?
 - b. For end use members who do not heat their homes with heat pumps, would there be additional costs to enable them to participate in the winter DLC program?
38. Refer to the Direct Testimony of Maria Roumpani page 40 lines 11-13, Justify your statement that the timing of EKPC's winter peak coincides with work hours.
39. Refer to the Direct Testimony of Maria Roumpani page 46 lines 7-8:
- a. What % of measure costs do you recommend for incentive levels in RAP assessments? What is the basis for that recommendation?
 - b. What factors would you include in your calculation of incentive levels as a percentage of measure costs?

40. Refer to the Direct Testimony of Maria Roumpani page 48 lines 12-15:
- a. What customer class or classes were evaluated in the research cited?
 - b. Are these results a good indicator of residential customer behavior or decision-making?
41. Please provide the number of DSM programs the expert witness has personally been employed or engaged in as an DSM program implementer.
42. Please provide the number of DSM programs the expert witness has personally been employed or engaged in as an DSM program implementer in rural Kentucky.
43. Please provide the number of home & business the expert witness has personally implemented DSM measures or programs.
44. Please provide the number of home & business the expert witness has personally implemented DSM measures or programs in rural Kentucky.
45. Expert staff from EKPC and the owner-member cooperatives on average have about 15 years direct experience implementing DSM programs in rural Kentucky on a daily basis. Many hold RESNET and BPI certifications. Would the expert witness concur that the staff at EKPC and co-ops who recommended the DSM plan are experts in the field of DSM program implementations and are knowledgeable of the DSM program needs in rural Kentucky?
46. Does the expert witness testify that the EKPC and owner-member expert staff are wrong to recommend the DSM programs of the DSM plan?
47. The expert witness recommends the pursuit of at least RAP having a winter savings of 178MW by 2030. Does the expert witness testify that achieving this winter savings by 2030 would negate the need for the supply-side resources?

48. Refer to the Direct Testimony of Maria Roumpani page 59 lines 8-10; With no DSM budget limits contained in the DSM tariffs, how does the expert witness conclude that the DSM plan is not pursuing the high scenario?
49. Refer to the Direct Testimony of Maria Roumpani page 52 lines 6-10; Please produce EKPC's Kentucky Energy Retrofit Rider approved by Commission order.
50. Refer to the Direct Testimony of Maria Roumpani page 53 lines 6-13; Please provide the residential solar installed cost in Kentucky per kw and per kwh utilized to conclude that resource is a cost-effective resource? Please cite the source for those costs.
51. Concerning Roumpani page 54 line 13 through page 55 line 43; Please provide the installed cost of the Rose Acre Farm microgrid that is identified as the example benefit to rural farms? Microgrid provides higher reliability for the farm and is a premium service in most cases. Is Rose Acre Farm paying a premium for this service or is the cost being socialized across the cooperative members?