

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN ELECTRONIC EXAMINATION BY THE)	
PUBLIC SERVICE COMMISSION OF THE)	
ENVIROMENTAL SURCHARGE MECHANISM)	
OF EAST KENTUCKY POWER COOPERATIVE,)	
INC. FOR THE SIXTH-MONTH EXPENSE)	CASE NO.
PERIODS ENDING MAY 31, 2022, NOVEMBER)	2025-00013
30, 2022, NOVEMBER 30, 2023, MAY 31, 2024)	
AND NOVEMBER 30, 2024, THE TWO-YEAR)	
EXPENSE PERIOD ENDING MAY 31, 2023, AND)	
THE PASS-THROUGH MECHANISM OF ITS)	
SIXTEEN MEMBER DISTRIBUTION)	
COOPERATIVES)	

MOTION TO RECOVER COSTS

Comes now East Kentucky Power Cooperative, Inc. (“EKPC”), by and through counsel, pursuant to KRS 278.183 and other applicable law, and requests authorization to recover \$561,263 of under recovery that was identified in Commission Staff’s Third Request for Information (“Staff’s Third Request”) and, respectfully states as follows:

1. On March 5, 2025, the Commission opened a proceeding pursuant to KRS 278.183(3) to examine EKPC’s environmental surcharge mechanism for the six-month periods ending May 31, 2022, November 30, 2022, November 30, 2023, May 31, 2024, and November 30, 2024, and the two year period ending May 31, 2023.

2. Throughout the proceeding, Commission Staff issued requests for information regarding the expenses being recovered by the environmental surcharge. In Staff’s Third Request, Item 2, Commission Staff requested a reconciliation for ES Form 2.5 and ES Form 2.4 for February

2021.¹ In performing the requested reconciliation of ES Form. 2.5 and ES Form 2.4, it was discovered that EKPC has under recovered \$561,263.²

3. KRS 278.183(1) states that a utility shall be entitled to the recover of costs of complying with federal environmental regulations.³ KRS 278.183(3) allows the commission to disallow surcharge amounts that are not just and reasonable.⁴

4. The Commission reviewed EKPC's environmental surcharge and found that EKPC has prudently incurred costs related to all projects within its compliance plan.⁵ EKPC is now requesting the Commission allow it to recover the under recovery \$561,263 that was found through the discovery process in this case.

This 27th day of May, 2025.

¹ Commission Staff's Third Request for Information (filed May 7, 2025).

² EKPC's Response to Commission Staff's Third Request for Information, Item 2 (filed May 16, 2025).

³ KRS 278.183(1).

⁴ KRS 278.183(3).

⁵ *Electronic Application of East Kentucky Power Cooperative, Inc. for Approval to Amend its Environmental Compliance Plan and Recover Costs Pursuant to its Environmental Surcharge, and for the Issuance of a Certificate of Public Convenience and Necessity and Other General Relief*, Case No. 2024-00109, November 22, 2024 Order (Ky. PSC November 22, 2024); *Electronic Application of East Kentucky Power Cooperative, Inc. for Approval to Amend Its Environmental Compliance Plan and Recover Costs Pursuant to Its Environmental Surcharge, and for Issuance of Certificates of Public Convenience and Necessity and Other Relief*, Case No. 2023-00177, January 11, 2024 Order (Ky. PSC January 11, 2024); and, *Application of East Kentucky Power Cooperative, Inc. for Approval to Amend its Environmental Compliance Plan and Recover Costs Pursuant to its Environmental Surcharge, and for the Issuance of a Certificate of Public Convenience and Necessity*, Case No. 2018-00270, April 1, 2019 (Ky. PSC April 1, 2019).

Respectfully submitted,

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CERTIFICATE OF SERVICE

This is to certify that foregoing electronic filing was transmitted to the Commission on May 27, 2025; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; and that pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085, no paper copies of the filing will be made.

Heather S. Temple

Counsel for East Kentucky Power Cooperative, Inc.