

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

**In the Matter of:**

<b>ELECTRONIC 2025 INTEGRATED RESOURCE</b>	)	
<b>PLAN OF EAST KENTUCKY POWER</b>	)	<b>CASE NO.</b>
<b>COOPERATIVE, INC.</b>	)	<b>2025-00087</b>

**RESPONSES TO SIERRA CLUB'S FIRST POST HEARING INFORMATION**  
**REQUEST**  
**TO EAST KENTUCKY POWER COOPERATIVE, INC.**  
**DATED MARCH 16, 2026**





**EAST KENTUCKY POWER COOPERATIVE, INC.**

**CASE NO. 2025-00087**

**FIRST POST HEARING REQUEST FOR INFORMATION RESPONSE**

**SIERRA CLUB'S REQUEST DATED MARCH 16, 2026**

**REQUEST 1**

**RESPONSIBLE PARTY: Christopher E. Adams**

**Request 1.** Refer to the hearing testimony of Christopher Adams and Julia Tucker.

a. Please state the names and megawatts of solar projects in the Company's service territory that were previously moving forward under the New ERA solar grant program that have been cancelled as a result of the One Big Beautiful Bill Act.

b. Please state the number of Kentucky jobs lost as a result of the cancellation of the above projects and the New ERA solar programs.

c. Please state the estimated amount of Kentucky tax revenue lost as a result of the One Big Beautiful Bill Act's cancellation of the New ERA solar program.

d. State how the Company intends to replace the approximately 300 MW of solar power lost as a result of the cancellation of the New ERA solar program.

**Response 1.**

a. The four projects were:

- Cooperative Solar Farm 5 – Barren 92 MW installed capacity (3.4 MW average ELCC-adjusted capacity contribution);

- Cooperative Solar Farm 6 – Plumville 84 MW (3 MW average ELCC-adjusted capacity contribution);
- Cooperative Solar Farm 7 – Windsor 80 MW installed capacity (2.7 MW average ELCC-adjusted capacity contribution); and,
- Cooperative Solar Farm 8 – Marion #2 65 MW installed capacity (2.1 MW average ELCC-adjusted capacity contribution).

EKPC assumed zero contribution to winter peak energy needs from these solar farms as solar output is not coincident with winter peak period (early morning and late afternoon periods when the sun is not shining).

b-c. EKPC does not have estimates for jobs created or tax revenue for the projects in question. Note that the “New ERA Solar Program” has not been cancelled. EKPC is moving forward with the solar projects approved in Case No. 2024-00129;<sup>1</sup> Cooperative Solar Farm 2 – Fayette (40 MW) and Cooperative Solar Farm 3 – Marion (96 MW), and with the Star Hill Farms solar facility (0.5 MW), which is already complete.

e. EKPC serves its load via a reliability constrained economic dispatch via PJM Interconnection LLC (“PJM”). It will continue to serve all load on a comparable basis into the future.

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<sup>1</sup> *Electronic Application of East Kentucky Power Cooperative, Inc. for Certificates of Public Convenience and Necessity Site Compatibility Certificates for the Construction of a 96 MW (nominal) Solar Facility in Marion County, Kentucky and a 40 MW (nominal) Solar Facility in Fayette County, Kentucky and Approval of Certain Assumptions of Evidences of Indebtedness Related to the Solar Facilities and Other Relief*, Case No. 20204-00129, December 26, 2024 Order (Ky P.S.C. December 26, 2024).

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**REQUEST 2**

**RESPONSIBLE PARTY: Christopher E. Adams**

**Request 2.** Refer to the hearing testimony of Christopher Adams.

- a. State how much more expensive gas would need to be in order for it to be economically cheaper to operate the Spurlock plant on coal compared to gas.
- b. State the Company's view on when, if ever, gas prices are likely to reach that point.
- c. State when the last time, if ever, gas prices reached that point.

**Response 2.** a-c. EKPC provided all fuel input assumptions in its response to Sierra Club's First Request for Information, Item 1. The IRP is based on forecasted fuel assumptions. This data shows that the average price of coal at Spurlock Station for the study period is \$2.99/MMBtu. Gas prices would need to be at or below that level, on average, to operate the Spurlock plant on natural gas more economically than coal. Columbia Mainline gas pricing averaged \$2.45/MMBtu across the same study period, which is less than average coal cost for Spurlock station by \$0.54/MMBtu. In total, the fuel forecast assumptions indicate that natural gas is cheaper than coal for 75% of the forecasted study period. Fuel security is also needed to

adequately hedge price spike in the natural gas spot markets, especially during winter, therefore the ability for the Spurlock to run 100% on coal is critical.

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**REQUEST 3**

**RESPONSIBLE PARTY: Christopher E. Adams**

**Request 3.** Refer to the hearing testimony of Christopher Adams and IRP p. 10, which states, "Cooper 1 had a forced derate due to wet coal that was adhering to the lower section of the bunkers in transition to the pulverizers. 12/23/2002 07:32 – 12/27/2022 12:00;"

a. Provide the duration and extent, in terms of percentage of capacity lost or MW lost, of the Cooper 1 "derate" that occurred during this time, broken down by hour.

b. Refer to p. 11 of the IRP, which states that the "outages and derates led to an initial capacity performance penalty of \$19,935,547.93, which EKPC paid in March – May 2023." Please provide the breakdown of this penalty by facility and unit.

c. Refer to p. 11 of the IRP, which states that the "final penalty assessment after all adjustments of \$13,195,090.05." Please provide the breakdown of this penalty by facility and unit.

**Response 3.**

a.

Cooper 1 derates

Event Start	Event End	Event Duration (Hrs.)	Unavail. Capacity (MW)	Avail. Capacity (MW)
12/23/2022 7:32	12/24/2022 7:27	23.92	10	106
12/24/2022 7:27	12/24/2022 14:35	7.13	8	108
12/24/2022 14:35	12/25/2022 5:17	14.7	13	103
12/25/2022 5:17	12/27/2022 12:00	54.72	8	108

b. The IRP erroneously stated the total cost as \$19,935,547.93. The actual cost was \$19,535,547.93. See attached PDF, *Confidential – SC PHDR3b.pdf*, for per-unit breakdown of the penalty costs, subject to Motion for Confidential Treatment.

c. The Federal Energy Regulatory Committee (“FERC”) ordered a 31.7% reduction per the Settlement Agreement.<sup>2</sup> Total penalties in PJM were reduced by 31.7%, as opposed to a per-unit reduction, with the impact to EKPC’s penalty shown in the table below.

<b>Performance Assessment</b>	
Estimated Amount Recorded for YE 12/31/22	\$ 19,512,175.00
Amount Originally Assessed & Paid March-May 2023	\$ 19,535,547.93
Subsequent Adjustments in 2023 (Before Settlement)	\$ (215,798.46)
<b>Final Assessment (Before FERC Settlement)</b>	<b>\$ 19,319,749.47</b>
31.7% Reduction Per FERC Settlement	\$ (6,124,659.42)
<b>Final Assessment (After FERC Settlement)</b>	<b>\$ 13,195,090.05</b>

<sup>2</sup> <https://www.pjm.com/-/media/DotCom/documents/ferc/orders/2023/20231219-er23-2975-000.ashx>

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**REQUEST 4**

**RESPONSIBLE PARTY: Julie Tucker**

**Request 4.** Ms. Tucker testified that the non-disclosure agreements the Company has signed with an unidentified number of unidentified potential large load customers (1) precludes any public disclosure of potential data center projects prior to signing a “special contract” for service reached under the Company’s large load tariff approved in October 2025, and (2) prevents the Company from disclosing any anonymized information about a proposed project, such as its size, location, or likelihood of being built in the Company’s service territory prior to the signing of a “special contract” under the large load tariff approved in Case No. 2025-00140.

a. State whether the Company views its use of non-disclosure agreements to shield such information from the public as being consistent with the Commission’s direction in Case No. 2025-00140 that instructs EKPC to engage the public “early” and with “transparent communication” that includes “engaging with the local community representatives, local authorities, and multiple stakeholders early during the project conceptual phase before project plans are finalized and to share information about the project's scope, including size, timeline, and potential impacts.” Case No. 2025-00140, Order at 23 (Oct. 30, 2025).

**Response 4a-b.** EKPC's Public Relations personnel attended public meetings regarding a potential project that might locate within the Fleming-Mason Energy Cooperative, Inc. territory. EKPC stated it would serve the load if the load materializes and would abide by its Rate DCP (data center tariff). EKPC is not at liberty to discuss details of the project that is owned by a third party. As data becomes publicly available, EKPC will disclose information. EKPC has an obligation to serve load that locates within its Owner-Members' service territories. EKPC has an obligation to develop special contracts for large loads, in concert with the affected Owner-Member, and those contracts will be presented to the Commission for approval, consistent with the process outlined in Rate DCP.

As required by the Commission's Order<sup>3</sup>, EKPC engaged with local community representatives, local authorities, and multiple stakeholders. Those entities have all been under the same, or similar, NDAs as EKPC so those discussions could take place. This same process has been in place for many years with regards to working with potential large load / industrial loads. Many businesses do not want their plans disclosed prematurely for competitive business reasons. It is EKPC's responsibility to estimate the facilities required and cost associated with serving such loads. EKPC will then work with the appropriate state and local officials, as needed, along with the potential customer to determine the overall picture of what the project could be. EKPC engages others as directed by the customer. EKPC can suggest communications protocols to the customer, but it is ultimately their decision on how to proceed.

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<sup>3</sup> *Electronic Tariff Filing of East Kentucky Power Cooperative, Inc. to Establish a New Tariff for Data Center Power*, Case No. 2025-00140, October 30, 2025 (Ky. P.S.C. October 30, 2025).