

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

<b>ELECTRONIC TARIFF FILING OF EAST</b>	)	
<b>KENTUCKY POWER COOPERATIVE, INC.</b>	)	<b>Case No. 2025-00140</b>
<b>TO ESTABLISH A NEW TARIFF FOR DATA</b>	)	
<b>CENTER POWER</b>	)	

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**INITIAL DATA REQUESTS OF THE ATTORNEY GENERAL**

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Comes now the Attorney General of the Commonwealth of Kentucky, by his Office of Rate Intervention (“Attorney General”), and submits these Data Requests to East Kentucky Power Cooperative, Inc. (hereinafter “EKPC,” or “company”) to be answered by July 14, 2025, in accord with the following:

- (1) In each case where a request seeks data provided in response to a staff request, reference to the appropriate requested item will be deemed a satisfactory response.
- (2) Identify the witness who will be prepared to answer questions concerning each request.
- (3) Repeat the question to which each response is intended to refer.
- (4) These requests shall be deemed continuing so as to require further and supplemental responses if the companies receive or generate additional information within the scope of these requests between the time of the response and the time of any hearing conducted hereon.
- (5) Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association, be accompanied by a signed

certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

(6) If you believe any request appears confusing, please request clarification directly from undersigned Counsel.

(7) To the extent that the specific document, workpaper or information as requested does not exist, but a similar document, workpaper or information does exist, provide the similar document, workpaper, or information.

(8) To the extent that any request may be answered by way of a computer printout, please identify each variable contained in the printout which would not be self-evident to a person not familiar with the printout.

(9) If the company has objections to any request on the grounds that the requested information is proprietary in nature, or for any other reason, notify undersigned Counsel as soon as possible, and in accordance with Commission direction.

(10) As used herein, the words "document" or "documents" are to be construed broadly and shall mean the original of the same (and all non-identical copies or drafts thereof) and if the original is not available, the best copy available. These terms shall include all information recorded in any written, graphic or other tangible form and shall include, without limiting the generality of the foregoing, all reports; memoranda; books or notebooks; written or recorded statements, interviews, affidavits and depositions; all letters or correspondence; telegrams, cables and telex messages; contracts, leases, insurance policies or other

agreements; warnings and caution/hazard notices or labels; mechanical and electronic recordings and all information so stored, or transcripts of such recordings; calendars, appointment books, schedules, agendas and diary entries; notes or memoranda of conversations (telephonic or otherwise), meetings or conferences; legal pleadings and transcripts of legal proceedings; maps, models, charts, diagrams, graphs and other demonstrative materials; financial statements, annual reports, balance sheets and other accounting records; quotations or offers; bulletins, newsletters, pamphlets, brochures and all other similar publications; summaries or compilations of data; deeds, titles, or other instruments of ownership; blueprints and specifications; manuals, guidelines, regulations, procedures, policies and instructional materials of any type; photographs or pictures, film, microfilm and microfiche; videotapes; articles; announcements and notices of any type; surveys, studies, evaluations, tests and all research and development (R&D) materials; newspaper clippings and press releases; time cards, employee schedules or rosters, and other payroll records; cancelled checks, invoices, bills and receipts; and writings of any kind and all other tangible things upon which any handwriting, typing, printing, drawings, representations, graphic matter, magnetic or electrical impulses, or other forms of communication are recorded or produced, including audio and video recordings, computer stored information (whether or not in printout form), computer-readable media or other electronically maintained or transmitted information regardless of the media or format in which they are stored, and all other rough drafts, revised drafts

(including all handwritten notes or other marks on the same) and copies of documents as hereinbefore defined by whatever means made.

(11) For any document withheld on the basis of privilege, state the following: date; author; addressee; indicated or blind copies; all persons to whom distributed, shown, or explained; and, the nature and legal basis for the privilege asserted.

(12) In the event any document called for has been destroyed or transferred beyond the control of the company, please state: the identity of the person by whom it was destroyed or transferred, and the person authorizing the destruction or transfer; the time, place, and method of destruction or transfer; and, the reason(s) for its destruction or transfer. If destroyed or disposed of by operation of a retention policy, state the retention policy.

(13) Provide written responses, together with any and all exhibits pertaining thereto, in one or more bound volumes, separately indexed and tabbed by each response, in compliance with Kentucky Public Service Commission Regulations.

(14) "And" and "or" should be considered to be both conjunctive and disjunctive, unless specifically stated otherwise.

(15) "Each" and "any" should be considered to be both singular and plural, unless specifically stated otherwise.

Respectfully submitted,

RUSSELL COLEMAN  
ATTORNEY GENERAL



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*Certificate of Service and Filing*

Pursuant to the Commission's Orders and in accord with all other applicable law, Counsel certifies that, on June 30, 2025, an electronic copy of the foregoing was served via the Commission's electronic filing system.

this 30th day of June, 2025.

A handwritten signature in blue ink, appearing to read "J. Michael Miller", is positioned above a horizontal line.

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Assistant Attorney General

**ELECTRONIC TARIFF FILING OF EAST KENTUCKY POWER COOPERATIVE, INC. TO  
ESTABLISH A NEW TARIFF FOR DATA CENTER POWER, Case No. 2025-00140**

**Data Requests**

1. See Proposed Tariff at Section III. (1), “Eligible Data Center Requirements.” Define “load factor.”
2. See Proposed Tariff Section IV. (1), “General Contract Requirements.”
  - a. Regarding the “KSPC Approval” process, does EKPC agree that such a review will require submission of a detailed incremental/marginal cost study?
  - b. If no, why not?
  - c. If yes, will the Company agree to make that an expressed requirement of the Proposed Tariff?
3. See Proposed Tariff at Section V. “Resource Selection and Cost Recovery” and Direct Testimony of Samford at 6.
  - a. Confirm whether, for loads less than 250 MW, the Tariff provides that EKPC may serve Qualifying Customers using existing EKPC generating resources.
  - b. If so, confirm that those resources would have been utilized for the benefit of existing customers but for the service of the new load.
4. See Proposed Tariff at Section V. “Resource Selection and Cost Recovery,” Sheet No. 105-106. If the load is to exceed 250 MW, it is required to be served by a “Dedicated Resource,” “unless otherwise determined by EKPC in its sole discretion.”
  - a. Discuss whether, for loads in excess of 250 MW, the Tariff requires the customer to be served *fully* by a “Dedicated Resource.”
  - b. Is a Dedicated Resource effectively a “new” resource to the EKPC system?
  - c. Why should the utility retain discretion in this instance, as opposed to strictly construing the requirement to procure Dedicated Resources?
5. See Proposed Tariff at Sheet No. 107, “Cost Recovery Generally.”
  - a. Discuss whether the provision specifically requires the Qualifying Customer to pay costs of incremental generation, transmission, and other costs driven by service of the Qualifying Customer.
  - b. If a Qualifying Customer is being served by EKPC generating resources that pre-existed the Qualifying Customer, discuss specifically how EKPC will calculate and apportion the costs and benefits of those resources.
6. See Proposed Tariff at Attachment A at Sheet No. 118, “EKPC-Supplied Dedicated Resource.” How does EKPC define “without acting to the detriment of EKPC’s non-Rate DCP rate classification members?”
7. See Proposed Tariff at Attachment A at Sheet No. 118, “Dedicated Resource Project Financing.”
  - a. Discuss how it is possible for EKPC to obtain financing for Dedicated Resources without negatively impacting existing customers?
  - b. Would such financing not by necessity increase risk to and limit the borrowing potential of existing and native growth customers?

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8. Would load served under the Proposed Tariff be interruptible? If not, why not?