

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

**In the Matter of:**

<b>ELECTRONIC APPLICATION OF KENTUCKY</b>	)	
<b>POWER COMPANY FOR APPROVAL OF (1) A</b>	)	
<b>CERTIFICATE OF PUBLIC CONVENIENCE</b>	)	
<b>AND NECESSITY TO MAKE THE CAPITAL</b>	)	
<b>INVESTMENTS NECESSARY TO CONTINUE</b>	)	
<b>TAKING CAPACITY AND ENERGY FROM</b>	)	<b>Case No. 2025-00175</b>
<b>THE MITCHELL GENERATING STATION</b>	)	
<b>AFTER DECEMBER 31, 2028, (2) AN</b>	)	
<b>AMENDED ENVIRONMENTAL COMPLIANCE</b>	)	
<b>PLAN, (3) REVISED ENVIRONMENTAL</b>	)	
<b>SURCHARGE TARIFF SHEETS, AND (4) ALL</b>	)	
<b>OTHER REQUIRED APPROVALS AND</b>	)	
<b>RELIEF</b>	)	

**SIERRA CLUB’S TENDERED INITIAL DATA REQUESTS TO  
KENTUCKY POWER COMPANY**

Sierra Club hereby submits this Tendered Initial Request for Information to Kentucky Power Company (“the Company”). Please provide responses to these data requests below to the undersigned counsel.

**GENERAL INSTRUCTIONS**

**1) Definitions: For the purposes of these data requests, the following definitions shall apply:**

- a) The terms “Kentucky Power Company,” “Kentucky Power,” or “the Company” means and include any and all affiliates and/or subsidiaries, successors, predecessors, agents, consultants, and witnesses in this proceeding, and any and all of their affiliates, subsidiaries, or predecessors.
- b) The term “Company” means Kentucky Power Company and any and all affiliates and/or subsidiaries, successors, predecessors, agents, consultants, and witnesses in this proceeding, and any and all of their affiliates, subsidiaries, or predecessors.

- c) “Document” means all written, recorded or graphic matters, however produced or reproduced, pertaining in any manner to the subject of this proceeding, whether or not now in existence, without limiting the generality of the foregoing, all originals, copies and drafts of all writings, correspondence, telegrams, notes or sound recordings of any type of personal or telephone communication, or of meetings or conferences, minutes of directors or committee meetings, memoranda, inter-office communications, studies, analyses, reports, results of investigations, reviews, contracts, agreements, working papers, statistical records, ledgers, books of account, vouchers, bank checks, x-ray prints, photographs, films, videotapes, invoices, receipts, computer printouts or other products of computers, computer files, stenographer’s notebooks, desk calendars, appointment books, diaries, or other papers or objects similar to any of the foregoing, however denominated. If a document has been prepared in several copies, or additional copies have been made, and the copies are not identical (or which, by reasons of subsequent modification of a copy by the addition of notations, or other modifications, are no longer identical) each non-identical copy is a separate “document.”
- d) “And” or “or” shall be construed conjunctively or disjunctively as necessary to make the requests inclusive rather than exclusive.
- e) The terms “you” and “your” refer to “Kentucky Power Company.”
- f) The term “person” means any natural person, corporation, corporate division, partnership, limited liability company, other unincorporated association, trust, government agency, or entity.
- g) The term “regarding” means consisting of, containing, mentioning, suggesting, reflecting, concerning, regarding, summarizing, analyzing, discussing, involving, dealing with, emanating from, directed at, pertaining to in any way, or in any way logically or factually connected or associated with the matter discussed.
- h) The singular as used herein shall include the plural and the masculine gender shall include the feminine and the neuter.
- i) “Identify” or “identifying” or “identification” when used in reference to a person that is a natural person means to state: the full name of the person and any names under which he conducts business; the current employer of the person, the person’s job title and classification, the present or last known work address of the person; and, the present or last known telephone number of the person.
- j) “Identify” or “identifying” or “identification” when used in reference to a person other than a natural person means to state: the full name of the person and any names under which it conducts business; the present or last known address of the person; and, the present or last known telephone number of the person.
- k) “Identify” or “identifying” or “identification” when used in reference to a document means to provide with respect to each document requested to be

identified by these discovery requests a description of the document that is sufficient for purposes of a request to produce or a subpoena duces tecum, including the following:

- (a) the type of document (e.g., letter, memorandum, etc.);
- (b) the date of the document;
- (c) the title or label of the document;
- (d) the Bates stamp number or other identifier used to number the document for use in litigation;
- (e) the identity of the originator;
- (f) the identity of each person to whom it was sent;
- (g) the identity of each person to whom a copy or copies were sent;
- (h) a summary of the contents of the document;
- (i) the name and last known address of each person who presently has possession, custody or control of the document; and,
- (j) if any such document was, but is no longer, in your possession, custody or control or is no longer in existence, state whether it: (1) is missing or lost; (2) has been destroyed; or (3) has been transferred voluntarily or involuntarily, and if so, state the circumstances surrounding the authorization for each such disposition and the date of such disposition.

- l) “Identify” or “identifying” or “identification” when used in reference to communications means to state the date of the communication, whether the communication was written or oral, the identity of all parties and witnesses to the communication, the substance of what was said and/or transpired and, if written, identify the document(s) containing or referring to the communication.
- m) “Current” when used in reference to time means in the present time of this data request.
- n) “Customer” means a person or company (residential, commercial, or industrial) who buys retail electricity on a regular and ongoing basis from Kentucky Power Company.
- o) “Workpapers” are defined as original, electronic, machine-readable, unlocked, Excel format (where possible) with formulas in-tact.

### **OTHER INSTRUCTIONS**

- a) Responses are to be provided in electronic format (e.g., text documents should be in the original word processor file format or PDF, data files should be in Excel).
- b) If you contend that any response to any data request may be withheld under the attorney-client privilege, the attorney work product doctrine or any other privilege 4 or basis, please state the following with respect to each such response in order to explain the basis for the claim of privilege and to permit adjudication of the propriety of that claim: 1) The privilege asserted and its basis; 2) The nature of

the information withheld; and, 3) The subject matter of the document, except to the extent that you claim it is privileged.

- c) For any document or set of documents Kentucky Power Company objects to providing to Sierra Club on the grounds it is burdensome or voluminous, please identify the specific document (see instruction (k) above).
- d) These data requests are to be answered with reference to all information in your possession, custody or control or reasonably available to you. These data requests are intended to include requests for information, which is physically within your possession, custody or control as well as in the possession, custody or control of your agents, attorneys, or other third parties from which such documents may be obtained.
- e) If any data request cannot be responded to or answered in full, answer to the extent possible and specify the reasons for your inability to answer fully.
- f) These data requests are continuing in nature and require supplemental responses should information unknown to you at the time you serve your responses to these data requests subsequently become known.
- g) For each response, identify all persons (see instruction (j)) that were involved in the preparation of the answers to the interrogatories below and/or are responsible for compiling and providing the information contained in each answer.
- h) Identify which witness(es) at the hearing is competent to adopt and/or discuss the response.
- i) Please produce the requested documents in electronic format to the following individuals:  
  
Joe Childers, Joe@jchilderslaw.com  
Nathaniel Shoaff, nathaniel.shoaff@sierraclub.org  
Joshua Smith, joshua.smith@sierraclub.org
- j) Wherever the response to an interrogatory or request consists of a statement that the requested information is already available to the Sierra Club, 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).
- k) In the event that any document referred to in response to any request for information has been destroyed, specify the date and the manner of such destruction, the reason for such destruction, the person authorizing the destruction and the custodian of the document at the time of its destruction.

- l) Sierra Club reserves the right to serve supplemental, revised, or additional discovery requests as permitted in this proceeding.

### **REQUESTS FOR INFORMATION**

- 1.1 Provide all workpapers and analyses prepared by or relied upon by Company Witness Alex E. Vaughan in preparation for their testimony regarding the Company's continued reliance on the Mitchell plant for power generation post-2028 and the availability and cost of alternatives.
- 1.2 Please provide all workpapers and analyses prepared by or relied on by Company Witness Lerah M. Kahn in preparation for their testimony regarding the residential rate impacts of the Company's proposal and all available alternatives.
- 1.3 Please refer to the Testimony of Company Witness Kahn at p. 9, lines 3-5 regarding the residential rate impact of the Company's proposal. Provide the residential rate impact of all considered alternatives.
- 1.4 Please refer to the Company's Application in this matter at p. 7, paragraphs 17-20. Provide all workpapers and analyses relied on by the Company in estimating the rate impact of the approximately \$77.8 million investment in the ELG project.
- 1.5 Please refer to the Application in this matter at p. 7, paragraph 20.
  - a. Please provide the Company's evaluation of the rate impact of the proposed \$60.4 million investment in non-ELG projects that the Company intends to request recovery of as part of the Company's next rate base case.
  - b. Please explain why the Company's are proposing to treat ELG and non-ELG project costs differently regarding the customer ratepayer impacts of continuing to rely on the Mitchell plant beyond the end of 2028.
- 1.6 Please refer to the Testimony of Company Witness Vaughan, p. 4, lines 15-16.
  - a. Provide a copy of the "2023 All-Source Request for Proposals ("RFP")".
  - b. Provide a copy of any other RFPs issued by the Company for generation capacity since January 2, 2021.
- 1.7 Please refer to the Company's Application in this matter, p. 5, paragraph 11. Provide a copy of the September 1, 2022 "Written Consent Action" entered into by Wheeling Power and the Company.
- 1.8 Please refer to the Company's Application in this matter, p. 5, paragraph 11. Please provide any written agreement between the Company and Wheeling Power addressing

the financial terms of the Company's proposal to extend its ownership interest in the Mitchell plant beyond the end of 2028.

- 1.9 For the Mitchell plant, please identify the amount of money that Kentucky Power has included in the Company's Test Year spending as proposed in this case, by the following types:
  - a. Operations & Maintenance
  - b. Capital expenditures
  - c. Fuel
  - d. Other (please specify)
- 1.10 For each Test Year capital expenditure of more than \$100,000 at the Mitchell plant, please:
  - a. Describe the reason for the expenditure.
  - b. State whether the Company studied if the expenditure would be necessary if the plant were to retire before December 31, 2028. If the expenditure would still be necessary, explain why.
- 1.11 Please produce any analysis or assessment conducted of the economics of continued operation, i.e., a retirement study or unit disposition analysis, of the Mitchell plant prepared by or for the Company, including, but not limited to, any studies conducted to determine how to comply with the coal combustion residuals ("CCR Rule") or the 2020 and/or 2024 effluent limitation guidelines ("ELG Rule") regulations.
- 1.12 For each retirement/retrofit study or unit disposition analysis produced in response to Sierra Club 1.11:
  - a. State which modeling software was used to conduct the analysis.
  - b. State the date that the analysis was performed.
  - c. State whether the units were modeled with an economic (market) or self-commitment (must run) status for each year of the analysis.
  - d. State the date of each forecast or projection used in the analysis.
  - e. State the regulation or rationale behind each unit's retirement date(s) studied.
  - f. Provide all underlying workbooks with formulas intact that were used to develop model input assumptions.
  - g. Identify all transmission grid updates or changes that would be needed to allow for the retirement of each unit.
  - h. Produce all analyses or assessments of the impact that retirement of each unit would have on capacity adequacy, transmission grid stability, transmission grid support, voltage support, or transmission system reliability.
  - i. Provide each of the following inputs by unit for each modeled scenario:
    - i. Heat rate for each fossil unit (Btu)
    - ii. Projected Ongoing Capital expenditures by unit (\$)
    - iii. Variable Operation and Maintenance by unit (\$/MWh)
    - iv. Fixed Operation and Maintenance by unit(\$/MW)

- j. Provide the following inputs by scenario:
    - i. A list of all capital expenditures associated with CCR and ELG compliance included in each modeled scenario and provide the cost of each;
    - ii. All transmission upgrade costs assumed, if any (\$);
    - iii. SPP energy price forecasts (with and without CO<sub>2</sub> price);
    - iv. SPP capacity price forecasts (with and without CO<sub>2</sub> price);
    - v. CO<sub>2</sub> price forecasts
    - vi. Coal price (\$/MMBtu)
    - vii. Gas price (\$/MMBtu)
  - k. For each replacement resource available to the model, provide each of the following inputs for each resource at the highest level of granularity used in conducting the unit disposition analysis:
    - i. Replacement resource options
    - ii. Replacement resource size (MW)
    - iii. Year replacement resource is available (year)
    - iv. Cost of replacement resource option (\$/MW)
    - v. Annual capacity factor
  - l. Provide all model outputs by unit, including:
    - i. Annual generation (MWh)
    - ii. Fuel Costs (\$)
    - iii. VOM Costs (\$)
    - iv. FOM Costs (\$)
    - v. Capital expenditures for ELG and CCR environmental compliance (\$)
    - vi. Other capital expenditures (\$)
    - vii. Energy and ancillary market revenues (\$)
  - m. Provide all post-processing workbooks with formulas intact that were used to analyze study results outside the model.
- 1.13 Please identify and produce the most recent depreciation study for the Mitchell plant.
- 1.14 For the Mitchell Plant, please provide the following information, on an annual basis, beginning with 2021:
- a. Installed Capacity
  - b. Unforced Capacity
  - c. Capacity Factor
  - d. Equivalent Availability Factor (EAF)
  - e. Heat Rate
  - f. Forced or random outage rate
  - g. Effective forced outage rate (EFORd)
  - h. Fixed O&M costs
  - i. Non-Fuel Variable O&M costs
  - j. Fuel Costs (by fuel type)

Dated: August 11, 2025

Respectfully submitted,

/s/ Joe F. Childers

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### **CERTIFICATE OF SERVICE**

This is to certify that the foregoing copy of Sierra Club's Tendered Initial Request for Information to Kentucky Power Company in this action is being electronically transmitted to the Commission on August 11, 2025, and that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding.

/s/ Joe F. Childers

JOE F. CHILDERS