



KENTUCKIANA
— COURT REPORTERS —

CASE NO. 2025-00175

IN THE MATTER OF:

**ELECTRONIC APPLICATION OF KENTUCKY POWER COMPANY FOR
APPROVAL OF (1) A CERTIFICATE OF PUBLIC CONVENIENCE
AND NECESSITY TO MAKE THE CAPITAL INVESTMENTS NECESSARY
TO CONTINUE TAKING CAPACITY AND ENERGY FROM THE
MITCHELL GENERATING STATION AFTER DECEMBER 31, 2028,
(2) AN AMENDED ENVIRONMENTAL COMPLIANCE PLAN, (3)
REVISED ENVIRONMENTAL SURCHARGE TARIFF SHEETS, AND (4)
ALL OTHER REQUIRED APPROVALS AND RELIEF**

HEARING

DATE: November 18, 2025



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1 COMMONWEALTH OF KENTUCKY
2 BEFORE THE PUBLIC SERVICE COMMISSION

3 CASE NO. 2025-00175

4
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13 ALL OTHER REQUIRED APPROVALS AND RELIEF

14
15 HEARING

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17
18 WITNESSES: TANNER S. WOLFRAM

19 LERAH M. KAHN

20 JOSHUA D. SNODGRASS

21 ALEX E. VAUGHN

22 LANE KOLLEN (VIA VIDEOCONFERENCE)

23 DEVI GLICK

24 DATE: NOVEMBER 18, 2025

25 REPORTER: APRIL CAMUR

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4 Michael Schuler, Assistant General Counsel for Kentucky
5 Power; Angie Hatton, Commissioner; Andrew Wood,
6 Commissioner; Mary Pat Regan, Commissioner; Justin
7 Young, Public Service Commission; John Rogness, Public
8 Service Commission; Jim Rhodes, Public Service
9 Commission; Farhad Shahidi, Financial Analyst, PSC;
10 Bentley Jarboe, Public Utilities Financial Analyst,
11 PSC; Connor Haney, Public Utilities Financial Analyst
12 I, PSC; Peter Bostrom, Public Utilities Financial
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STIPULATION

The hearing was taken at the KENTUCKY PUBLIC SERVICE COMMISSION, 211 SOWER BOULEVARD, FRANKFORT, KENTUCKY 40601 on TUESDAY the 18TH day of NOVEMBER 2025 at 9:13 a.m. (ET); said hearing was taken pursuant to the KENTUCKY Rules of Civil Procedure.

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1 PROCEEDINGS

2
3 COMMISSIONER HATTON: Good morning, everyone.
4 We are on the record in Case number 2025-00175,
5 Electronic Application of Kentucky Power Company for
6 approval of a certificate of public convenience and
7 necessity to make capital investments necessary to
8 continue taking capacity and energy from the
9 Mitchell Generating Station and other requested
10 relief. I am Angie Hatton. I'm chair of the
11 Kentucky Public Service Commission. Joining me
12 today are Commissioner Mary Pat Regan and
13 Commissioner Andrew Wood. If you have a cell phone,
14 please set that to silent or turn it off at this
15 time. The hearing today is for the purpose of
16 taking evidence in this matter. And before we go
17 further, I'll have entry of appearance of counsel
18 and request that each party's counsel also identify
19 their witnesses. For the applicant?

20 MS. GLASS: Good morning, Your Honor. Katie
21 Glass, Ken Gish, and Juan Dawson of Stites &
22 Harbison for Kentucky Power Company. Kentucky
23 Power's witnesses today are Tanner Wolfram, Lerah
24 Kahn, Joshua Snodgrass, and Alex Vaughn.

25 COMMISSIONER HATTON: In that order?

1 MS. GLASS: Yes.

2 COMMISSIONER HATTON: Okay. And for Attorney
3 General's Office?

4 MR. WEST: Mike West for the Attorney General's
5 Office, and Lane Kollen is our witness. And he's
6 testifying for KIUC as well. He's available
7 virtually.

8 COMMISSIONER HATTON: Okay. I see that we've
9 got his link sorted this morning and got him online.
10 And for Kentucky Industrial Utility Customers?

11 MR. KURTZ: Good morning, Your Honor. It's
12 Mike Kurtz, Jody Kyler Cohn for KIUC.

13 COMMISSIONER HATTON: Good morning to both of
14 you. And you don't have a witness?

15 MR. KURTZ: Oh, we are sharing Mr. Kollen with
16 the Attorney General's Office.

17 COMMISSIONER HATTON: All right. And for
18 Sierra Club?

19 MS. KEITH: Cristina Keith for the Sierra Club.

20 MR. SHOAFF: And I'm Nathaniel Shoaff, Your
21 Honor. And with us today is our witness, Devi
22 Glick.

23 COMMISSIONER HATTON: Okay. Good morning to
24 all of you. I've been not advised that public
25 notice has been given and filed in the record; is

1 that correct, Counsel?

2 MR. BELLAMY: Yes, ma'am.

3 COMMISSIONER HATTON: Okay. And I think there
4 are a couple of outstanding motions. There's some
5 for confidentiality that we'll get ruled on ASAP.
6 And then there was a Motion for Deviation from
7 Notice Requirements from the Applicants. I did not
8 see any objection to that. In that case, it'll be
9 sustained.

10 MS. GLASS: Thank you.

11 COMMISSIONER HAGGEN: And we will get an order
12 out on as well. All right.

13 MS. GLASS: Your Honor, we also do have an
14 outstanding motion to approve our settlement
15 agreement, which was filed last Thursday.

16 COMMISSIONER HATTON: Okay. I think we're
17 going to hear some testimony today.

18 MS. GLASS: Yes.

19 COMMISSIONER HATTON: Because not everybody
20 signed on. Okay. Is there anyone present here
21 today who came here for the purpose of giving public
22 comment? I don't see anyone coming forward. So I
23 will note for the record that comments may always be
24 submitted on PSC's website, at psc.ky.gov. And you
25 may e-mail us. Make sure and include the case

1 number. If you want to give a public comment, you
2 can do so up until the close of evidence in this
3 case. And include case number 202500175. All
4 right. Anything further before we commence swearing
5 in witness? All right. Applicant, call your first
6 witness.

7 MS. GLASS: Thank you. The company calls
8 Tanner Wolfram.

9 COMMISSIONER HATTON: You know what? Pause,
10 Mr. Wolfram, just for a second. I didn't do the
11 stipulation. It's not actually in the script,
12 but I think we should do that before we -- yeah.
13 Okay. So Mr. Wolfram, stand down for just a second.
14 I need to do this -- and you can have a seat there,
15 if that's where you're comfortable. It's fine. But
16 I need to do the stipulation script, I think --

17 MR. WOLFRAM: Yes, Your Honor.

18 COMMISSIONER HATTON: -- before we start
19 carrying on calling witnesses. So I understand that
20 a settlement agreement has been reached between
21 Kentucky Power and Kentucky Industrial Utilities
22 Customers, and that the attorney general as signed
23 as not opposing. Sierra Club has not joined that
24 settlement. The settlement and supporting testimony
25 was filed under the record, November 13th, 2025.

1 Is that correct, Ms. Glass?

2 MS. GLASS: Yes.

3 COMMISSIONER HATTON: Okay. Could all the
4 attorneys who participated or anyone who
5 participated on behalf of an entity in those
6 negotiations and meetings and have signed onto the
7 proposed settlement agreement, please stand and
8 raise your right hand? All right. Do you swear or
9 affirm the testimony you're about to give is true
10 and correct under penalty of perjury?

11 MS. GLASS: Yes.

12 MR. GISH: Yes.

13 MR. DAWSON: Yes.

14 MR. WEST: Yes.

15 MR. KURTZ: Yes.

16 COMMISSIONER HATTON: Okay. You can lower your
17 hand. In order to ensure that the responses are
18 accurately recorded into the record, we will -- I
19 don't think we'll go one at a time. I think we'll
20 do it all at once. But if you're going to say no to
21 anything, do so loudly and wave your hand to get my
22 attention. All right. For all of you, were you
23 aware of and did you have an opportunity to
24 participate in all of the negotiations that resulted
25 in the settlement agreement?

1 MS. GLASS: Yes.

2 MR. GISH: Yes.

3 MR. DAWSON: Yes.

4 MR. WEST: Yes.

5 MR. KURTZ: Yes.

6 COMMISSIONER HATTON: Did you review the
7 settlement agreement in its entirety, including
8 exhibits and updated tariff sheets?

9 MS. GLASS: Yes.

10 MR. GISH: Yes.

11 MR. DAWSON: Yes.

12 MR. WEST: Yes.

13 MR. KURTZ: Yes.

14 COMMISSIONER HATTON: Did you voluntarily sign
15 the settlement agreement and do you fully support
16 each and every provision contained therein, or in
17 the case of the Attorney General, not opposed?

18 MS. GLASS: Yes.

19 MR. GISH: Yes.

20 MR. DAWSON: Yes.

21 MR. WEST: Yes.

22 MR. KURTZ: Yes.

23 COMMISSIONER HATTON: Are there any provisions
24 in the settlement agreement that you do not
25 understand, object to, or take issue with?

1 MS. GLASS: No.

2 MR. GISH: No.

3 MR. DAWSON: No.

4 MR. WEST: No.

5 MR. KURTZ: No.

6 COMMISSIONER HATTON: Was any consideration of
7 any kind offered or were you -- any promises made,
8 other than what is expressly set forth in the
9 settlement agreement, to induce you to negotiate and
10 sign the settlement agreement?

11 MS. GLASS: No.

12 MR. GISH: No.

13 MR. DAWSON: No.

14 MR. WEST: No.

15 MR. KURTZ: No.

16 COMMISSIONER HATTON: Are you aware of any
17 reason why the commission should not adopt to
18 approve the settlement agreement in its entirety?

19 MS. GLASS: No.

20 MR. GISH: No.

21 MR. DAWSON: No.

22 MR. WEST: No.

23 MR. KURTZ: No.

24 COMMISSIONER HATTON: All right. Please have a
25 seat. And now, Mr. Wolfram, would you raise your

1 right hand? Do you swear or affirm the testimony
2 you're about to give is true and correct under
3 penalty of perjury?

4 THE WITNESS: Yes, Your Honor.

5 COMMISSIONER HATTON: Okay. Tell us your full
6 name and business address, please.

7 THE WITNESS: My name is Tanner Wolfram.
8 My business address is 1645 Winchester Avenue,
9 Ashland, Kentucky 41101.

10 COMMISSIONER HATTON: Okay. Counsel?

11 MS. GLASS: Thank you.

12 DIRECT EXAMINATION

13 BY MS. GLASS:

14 **Q. Mr. Wolfram, can you please tell us the name**
15 **of your employer and your position?**

16 A. Yes. My employer is Kentucky Power Company.
17 I am the director of regulatory services.

18 **Q. Thank you. And did you cause to be filed into**
19 **the record of this case direct testimony, responses to**
20 **data requests, and testimony in support of the**
21 **settlement agreement?**

22 A. I did.

23 **Q. Okay. I would like to ask you a few questions**
24 **about your testimony in support of the settlement**
25 **agreement.**

1 A. Sure.

2 Q. As the chair said, it is correct that the
3 settlement agreement was entered into between the
4 parties on November 12th and filed into the record on
5 November 13th. Is that your understanding?

6 A. That's correct.

7 Q. Okay. And as you said, you filed testimony in
8 support of that settlement agreement, correct?

9 A. I did.

10 Q. Who are the parties to the agreement?

11 A. The parties to the agreement are Kentucky
12 Power Company and KIUC as the signatory parties, and the
13 attorney general signed as a non-opposition party to
14 that settlement agreement.

15 Q. Okay. And if I could have you turn to
16 Paragraph 11 of the recitals of the settlement agreement
17 itself, could you give me a summary of what's contained
18 in that paragraph, please?

19 A. Yes. Absolutely. So the -- the settling
20 party -- or the signatory parties agree that it is the
21 least cost reasonable alternative to allow the company
22 to continue to take energy and capacity from the
23 Mitchell plant beyond 2028, specifically for the 2028
24 through 2021 -- 2031 period, and support the overall
25 approval of the CPC application the company filed in

1 this proceeding.

2 **Q. Okay. Great. And can you tell me the major**
3 **terms of the settlement agreement between the parties?**

4 A. Yes. As of -- compared to the company's as-
5 filed position, there -- there are two modifications to
6 the company's as-filed position. One being that the
7 company has agreed to recover the 21 -- or \$20.1 million
8 associated with the ELG capital cost that it would be
9 responsible for through 2040, instead of 2031 as
10 proposed by the company. The parties also agreed to
11 prospectively change the depreciation rates for the CCR
12 investments that were approved in case number 2021-
13 00004. Those investments were being depreciated through
14 2028. Consistent with that order, the parties have
15 agreed to extend that depreciation through 2040. Both
16 those investments will have special depreciation rates
17 to ensure their depreciation through 2040. And at a
18 higher level, the parties agreed that the CPCN allowing
19 the company to take energy and capacity from Mitchell
20 beyond 2028 should be approved.

21 **Q. Okay. Thank you. And are those two**
22 **modifications to Kentucky Power's application that you**
23 **described generally consistent with the testimony filed**
24 **by Mr. Kollen on behalf of AG and KIUC?**

25 A. Yes. They -- they are generally consistent.

1 The only slight modifications to Mr. Kollen's testimony
2 is that one, we are updating depreciation rates
3 prospectively as -- as opposed to recalculating the
4 depreciation rates back to when they -- the investments
5 were made. And then Mr. Kollen also mentioned ELG study
6 costs that should have been -- he recommended they would
7 be recovered through 2040, but the company had already
8 fully recovered those ELG study costs at -- at this
9 point, so that adjustment was not necessary.

10 **Q. Okay. Thank you. And has the company had the**
11 **opportunity to examine the bill impacts of the proposed**
12 **settlement on the average residential customer?**

13 A. Yes. Specifically on Page S6 in my settlement
14 testimony, as submitted in the company's as-filed
15 position, the total bill impact for the environmental
16 surcharge would've been \$3.68 cents for a 2.02 percent
17 increase on residential bills. The settlement position
18 results in a \$2.33 increase for a 1.28 percent to the
19 average residential customer bill.

20 **Q. Okay. And how does that compare to the**
21 **company's as-filed position?**

22 A. Yeah, so the company's as-filed position was
23 \$3.68 cents and 2.02 percent on a residential bill as
24 compared to the \$2.33 cents or 1.28 percent.

25 **Q. Thank you. Are there any other notable**

1 **provisions in the settlement agreement?**

2 A. Yes. So the -- the parties have agreed to
3 continue to work and engage in -- in good faith best
4 efforts to seek securitization legislation associated
5 with the remaining net book value of the Mitchell plant.
6 The parties will agree to continue to make efforts
7 through the legislature to get new securitization
8 legislation passed hopefully in the near term so that we
9 can securitize the remaining netbook value of the plant
10 to the customer's benefit.

11 **Q. Thank you. And are the terms of this**
12 **settlement agreement contingent upon the legislature**
13 **ultimately passing securitization legislation?**

14 A. They are not.

15 **Q. Okay. And is it your testimony or your**
16 **opinion today that the settlement agreement is**
17 **reasonable and in the best interest of the company and**
18 **its customers?**

19 A. Yes. The settlement agreement balances
20 customer interest by allowing the company to continue to
21 have access to base load generation specifically from
22 the Mitchell plant, which provides about 600 megawatts
23 of accredited capacity to the -- to the company and its
24 customers, and ultimately the settlement results in a
25 lower overall bill impact to residential customer as

1 compared to the company's as- filed position. So
2 overall, I believe the settlement agreement balances the
3 interest of both the company and -- and its customers.

4 **Q. Okay. Thank you. So if I were to ask you the**
5 **same questions that were contained in your responses to**
6 **data request, your direct testimony, and your settlement**
7 **testimony today, would your responses be the same?**

8 A. They would.

9 **Q. Okay.**

10 MS. GLASS: Your Honor, the witness is
11 available for cross-examination.

12 COMMISSIONER HATTON: Okay. Mr. West?

13 MR. WEST: No questions.

14 COMMISSIONER HATTON: Mr. Kurtz?

15 MR. KURTZ: No questions, Your Honor.

16 COMMISSIONER HATTON: All right.

17 And what -- who will do for Sierra Club?

18 MR. SHOAFF: No questions, Your Honor.

19 COMMISSIONER HATTON: No questions. Okay.

20 Staff?

21 MR. BELLAMY: Yes.

22 CROSS-EXAMINATION

23 BY MR. BELLAMY:

24 **Q. Mr. Wolfram, could you look at Page 8, Lines**
25 **11 through 13 of your direct testimony? It just says**

1 there, "The Mitchell plant is required to comply with
2 the ELG rule in order for it to operate as a coal plant
3 past December 31st of 2028." The ELG rule that you're
4 referring to, it's the 2020 Effluent Limitation
5 Guidelines standards; is that correct?

6 A. That's correct.

7 Q. Okay. However, there's since been a 2024,
8 I guess, ELG standard proposed by the EPA; is that
9 correct?

10 A. Yes. There's a ZLD-related requirement, a
11 Zero Liquid Discharge requirement, that is currently
12 promulgated by the EPA.

13 Q. And what is the compliance timeline for that
14 standard?

15 A. Sure. So you turn to Exhibit TSW3 of -- of my
16 direct testimony, it lays out kind of the -- the path
17 forward for the environmental -- the current
18 environmental requirements associated with existing coal
19 facilities. So if you look at the top line, the ELG
20 compliance, which would be the ZLD-related items, there
21 are dates by which, to the extent you invested in the
22 ZLD or not invested in ZLD, it provides various
23 retirement dates for that unit. So in the first
24 example, if the company were to move forward with GHG
25 requirements, which is obviously a separate rule, but

1 not invest in ZLD, then the plant would be required to
2 retire by January 1st, 2034. And is -- as you move
3 down, there's very -- various GHG compliance options.
4 If you move to the third one, the ZLD compliance with
5 the 40 percent co-firing of Mitchell, that allows the
6 plant to operate through January 1st, 2039. And the ZLD
7 and 90 percent carbon capture investment, so those would
8 allow the plant to have no specific retirement date on
9 the current EPA rate.

10 **Q. And you might not be the best witness for some**
11 **of these questions. So if that's the case, please feel**
12 **free to defer these to another witness. It just -- you**
13 **kind of talked about some of this stuff, and so I wanted**
14 **to ask you first, and you know. But if -- but if**
15 **there's a need to defer, please feel free to do that.**
16 **But -- so I guess, is it the company's position you have**
17 **to comply with the 2024, the ZLD rule, by 2029 or plan**
18 **to retire by 2034; is that accurate?**

19 A. Company witness Vaughn may be able to provide
20 specifics. The -- the one that I'm looking at
21 specifically is the 100 percent gas co-firing option. I
22 don't know if that -- my understanding is that doesn't
23 involve making ZLD investments for the entire operation
24 of the plant, just the impoundments, but he -- he can
25 confirm that.

1 Q. Do you know the difference between what was
2 required by the 2020 ELG rule and what would be required
3 by the 2024 or the ZLD ELG rule?

4 A. Not specifically in terms of, like, the
5 technology that would be required, but I -- I do believe
6 Company Witness Vaughn or Company Witness Snodgrass may
7 have some additional information for you.

8 Q. So about the specifics of the technical
9 aspects of compliance, it would be Company Witness
10 Snodgrass, would be the appropriate witness?

11 A. Yes. He can speak to the --

12 Q. Okay.

13 A. -- the current ELG project that's in place at
14 -- at the Mitchell plant. Yes.

15 Q. Okay. Thank you. On Page 20, Line 9 of your
16 direct testimony, I'll just read it to you, and if it
17 sounds incorrect -- but you're welcome to go to it.
18 Just, "Under the current environmental regulations, the
19 Mitchell plant can continue to operate as a coal plant
20 through December 31st of 2031 without additional
21 environmental upgrades." And then in Exhibit TSW3, the
22 exhibit you were just referring to, it says, "Install
23 MATS compliance May 2027," but Exhibit TSW3 refers to
24 West Virginia coal plants. Would the MATS compliance be
25 necessary for Mitchell to continue operating beyond

1 2027, or does Mitchell not -- is there no compliance
2 requirement for MATS related to Mitchell?

3 A. Yeah. So there is MATS compliance related to
4 the Mitchell plant, but my understanding of that
5 project, it is relatively small in -- in scope.

6 Q. Okay. So that would be necessary by 2027 in
7 order to continue operating Mitchell?

8 A. That's correct.

9 Q. Okay. Page 20, 21 of your direct testimony,
10 Line 5 -- I'll give you a second to get there. It says,
11 "On June 11th of 2025, EPA announced a proposed rule
12 that would repeal the 2024 GHG rules and the MATS rule."
13 Specifically with respect to the GHG rules, does
14 Kentucky Power have a position regarding whether the GHG
15 rules are likely to be repealed?

16 A. I -- I wish I could give you a -- a yes or no
17 on that. We have heard the current administration is
18 evaluating those rules, either delaying the
19 environmental compliance by a multitude of years or
20 eliminating those requirements specifically, but we
21 haven't seen anything specific on -- in terms of what
22 either the delayed rule making would be or whether those
23 not -- whether or not those rules would be repealed.
24 So we're obviously monitoring that. If the -- the GHG
25 and MATS rules are delayed, obviously the Mitchell plant

1 can operate as is for a longer period of time without
2 any additional upgrades for ZLD, which is one of the
3 reasons that we are obviously making this application.
4 We have the optionality in that scenario to have that
5 plant available to us. To the extent that the current
6 administration makes those EPA changes, then we have an
7 existing base load resource that we can continue to
8 operate to the benefit of our customers without having
9 to make those investments if the environmental rules are
10 either delayed or repealed.

11 **Q. Is there an effort to repeal the ZLD rule**
12 **also? It wasn't mentioned there specifically, but**

13 A. Yes. That's my understanding. I think it's
14 kind of included in that overall GHG requirement, either
15 a delay in that requirement or elimination of that
16 requirement.

17 **Q. And you kind of alluded to this, but assuming**
18 **that the 2024 GHG was repealed by the current**
19 **administration, but a future administration seeks to**
20 **reinstate the same or similar rules, would Kentucky**
21 **Power's position be that -- that would nevertheless**
22 **result in a delay of the implementation of the 2024 rule**
23 **or something similar there too?**

24 A. That -- that would be my expectation, that the
25 current administration either delays those environmental

1 requirements -- it would be hard to imagine being able
2 to move those requirements back up to, like, the current
3 due dates for those -- those requirements because
4 obviously we've got decisions to make regarding
5 environmental compliance for those options. So if they
6 are delayed and we don't have to make those decisions,
7 you know, I think there would nevertheless be the delay
8 in the timing on those three implementations.

9 Q. And now obviously that makes sense, but I
10 don't know if Mr. Snodgrass would be able to provide,
11 you know, some color in that. And I guess if a rule is
12 repealed, you know, in the past and then re-implemented,
13 it kind of delays what have been seen, you know, with
14 respect to those rules. Would you have any, I guess,
15 information on how that's occurred in the past and what
16 kind of delays you've seen?

17 A. Not -- not specifically. Again, my -- my
18 understanding is based on conversations with our
19 internal environmental regulation experts, understanding
20 how the EPA regulations are implemented, you know, to
21 the extent that you do see a delay in environmental
22 compliance, you know, there -- there are challenges for
23 re-implementing or going backwards specifically in -- in
24 this instance, if these ZLD requirements were delayed,
25 let's say, ten years and -- and a new administration

1 comes in and says, okay, we want to -- well, we want to
2 revert back to the original tape. Well, at that point,
3 you know, we're already past the due date for ZLD. So
4 there -- there will obviously have to be some give and
5 take there from my understanding, but I do -- my
6 understanding is that it's generally challenging to, you
7 know, move those posts backwards, generally, once
8 they've kind of been moved out.

9 Q. And yeah, I kind of -- that's obviously
10 logical. I just was curious if you -- if there was any
11 information on how much delay you can kind of expect
12 when that kind of thing happens. But I guess it's just,
13 you know, fact dependent?

14 A. It is yes. We -- we don't have any --
15 obviously we don't have specific regulations in terms of
16 what the EPA will ultimately proposed, but we are -- we
17 are absolutely monitoring that to the extent that we can
18 take advantage of any -- any of those opportunities.
19 Yes.

20 Q. Are you aware of any -- apart from the current
21 administration seeking to repeal the current GHG rules,
22 are you aware of any legal challenges to the current GHG
23 rules with respect to the support for their
24 implementation?

25 A. I'm not sure I'm specifically aware of any

1 legal challenges. I do know there have been a couple of
2 facilities throughout the country that have sought
3 relief from, you know, current EPA regulations.

4 I -- I believe there was a plant in Michigan, maybe a
5 consumer's plant that, you know, sought to be able to
6 continue to operate past its -- its retirement date. And
7 I believe the administration had approved an exception
8 for them to continue to operate that coal facility. So
9 there -- there does -- given the overall increase that
10 we've seen in electrification, specifically around, you
11 know, growth of data centers and, you know, high energy
12 users across the country, you are seeing, you know,
13 I think multiple utilities reconsidering either
14 retirement options or seeking the ability to
15 get -- continue to operate existing base load
16 generation.

17 **Q. Is Kentucky Power or AEP involved in any legal**
18 **challenges currently against the 2024 GHG rules?**

19 A. I'm not specifically aware of that.

20 **Q. Okay. And this might be for somebody else.**
21 **I guess, two questions. The Convert Mitchell to 100**
22 **percent Gas Operation by 2030 is one of the long term**
23 **options. Are you aware of whether the 40 percent**
24 **capacity factor limit on new -- on certain new natural**
25 **gas plants that applies as a result of the 2024 GHG**

1 rule, does that apply to a coal plant converted to 100
2 percent gas?

3 A. I don't know that specifically, but Company
4 Witness Vaughn, may have that information.

5 Q. And I guess along the same lines -- you know
6 what, I think you've already answered this.

7 The ZLD -- I'll ask Company Witness Vaughn or Snodgrass
8 about the specifics of that. Looking at Page 22, Line 5
9 of your direct testimony.

10 A. Okay.

11 Q. It says on May -- or on May 28th, 2025, the
12 Mitchell Operating Committee met and concluded that
13 Kentucky Power would move forward with this application.
14 Could you kind of explain, you know, under what
15 authority that meeting was convened and what the
16 decision was at that meeting?

17 A. Sure. So there are naturally regular meetings
18 of Mitchell Operating Committee, specifically as it
19 relates to -- you know, we have normal cadence to set
20 budgets. We have meetings of the Mitchell Operating
21 Committee when it relates to making, you know, certain
22 investments in the plant or moving forward with specific
23 projects. So before we filed this application, we had
24 had conversations with Wheeling just to let them know
25 that this was something that we were evaluating. Once

1 we made the decision that this was something that we
2 wanted to pursue, we brought that before the Mitchell
3 Operating Committee, informed Wheeling that this was the
4 path that we wanted to move forward with. And Wheeling
5 ultimately agreed that it was the right thing to do.

6 **Q. And what was the specific agreement at that**
7 **meeting, if -- well, I won't put words in your mouth.**
8 **What was the specific agreement at that meeting?**

9 A. Generally, the company just informed Wheeling
10 Power Company that it had planned to make an application
11 to seek to extend its interest in the energy and
12 capacity from -- from the Mitchell Plant beyond 2028.
13 We informed them that -- that was the least costly of
14 all alternatives for our customers. And they supported
15 our decision to move forward with the -- the CPC
16 application.

17 **Q. Was approval from the operating committee**
18 **necessary in order for Kentucky Power to, I guess, make**
19 **the investment and it -- in Kentucky Power's -- well,**
20 **let me reset, actually. Kentucky Power, I know in the**
21 **application takes a position that because the commission**
22 **didn't approve the ELG project -- and then there was a**
23 **decision after that, you know, with respect to the**
24 **operating agreement, that Kentucky Power would have to**
25 **divest its share of the Mitchell Plant at the end of**

1 **2028; is that correct?**

2 A. My understanding is that the commission's
3 order directs the company that it can no longer take
4 energy and capacity from Mitchell beyond 2028. I do not
5 understand the commission's order to require a
6 divestiture of the company's 50 percent ownership in the
7 plant after that date.

8 **Q. Okay. So Kentucky Power's position wouldn't**
9 **be that, you know, as a result of not making that**
10 **investment, that Kentucky Power would have to divest its**
11 **interest in the Mitchell Plant?**

12 A. As it relates specifically to those orders,
13 I -- I don't understand the orders to require that
14 divestiture specifically. I -- my interpretation from
15 a -- a lay person's understanding and the regulatory
16 director is that those orders required the company or
17 necessitate the company to no longer be entitled to
18 energy capacity from that plant in 2028. As such, if we
19 are not entitled to energy capacity from that plant in
20 2028, we will have to make, you know, significant
21 purchases to cover the loss of accredited capacity from
22 the Mitchell Plant after 2028.

23 **Q. I guess, what decisions does Kentucky Power**
24 **contend or require from the Mitchell Operating Committee**
25 **in order for Kentucky Power to continue to receive its**

1 50 percent or to continue to receive 50 percent of the
2 capacity energy from Mitchell Plant? Like, I guess my
3 question is there the -- you talk about the meeting and
4 there's an agreement. Was that agreement required, and
5 under what authority was that agreement required in
6 order for Kentucky Power to retain its energy and
7 capacity from the Mitchell Plant?

8 A. Yeah, I apologize if I was unclear. I don't
9 mean that there was like a -- a formal agreement of the
10 Mitchell Operating Committee and the company had
11 informed and -- Wheeling Power that it -- that they plan
12 to -- it had intended to make this application because
13 it represented the least cost option to serve customers
14 and Wheeling was generally supportive of that
15 application. Again, it's important for us to be in
16 connection with Wheeling Power specifically as they are
17 entitled to that energy and capacity currently of full,
18 100 percent of Mitchell Plant beyond 2028. So we wanted
19 to ensure that it was still okay from their perspective
20 that we move forward with this application, there
21 wasn't, you know, specific requirements or anything of
22 the like that they were concerned with us making that
23 application. So it was more informative and -- but they
24 were ultimately supportive.

25 Q. Is there -- well, let me -- I'll get back to

1 that actually. Are there any minutes for that meeting?

2 A. I believe so, yes.

3 Q. I think we might request those as a post
4 hearing gather request. Would that be an issue?

5 A. No.

6 Q. I am looking at Page 22, Line 11 of your
7 testimony, your direct testimony.

8 A. I'm there.

9 Q. Starting with the sentence says, "No, changes
10 in the Mitchell Operating Agreement itself" -- or wait.
11 I guess you were asked about changes to the Mitchell
12 Operating Agreement. You said, "No, changes to the
13 Mitchell Operating Agreement itself would not be
14 required. However, should the commission approve the
15 application the Mitchell Operating committee will be as
16 soon as practical after approval to adopt new
17 resolutions that terminate the ones adopted in the
18 September 1st, 2022, written consent action that
19 permitted asymmetrical capital investment in the plant.
20 These new resolutions to reinstate Kentucky Power's
21 obligation to pay equally for the capital improvements
22 to the Mitchell Plant pursuant to section 3.2 of the
23 Mitchell Plant Operating Agreement. I guess the -- my
24 question is, are you saying there -- there were two
25 agreements attached to your testimony. I think the

1 original operating agreement and then the September 1st,
2 2022, written consent action agreement.

3 A. That's correct.

4 Q. It might have been dated September 20 -- but
5 the that written consent action agreement, are you
6 saying there that -- that September 1st, 2022, written
7 consent action would be eliminated in its entirety if
8 this was approved?

9 A. Generally, that's correct. The only provision
10 that would remain is that Wheeling Power would continue
11 to be the operator of the Mitchell Plant.

12 Q. Would have any other effects on the allocation
13 of cost for the operation of Mitchell?

14 A. As I said in my testimony, it would change the
15 allocation back to 50/50 share between Kentucky Power
16 and Wheeling Power Company. Currently, as a result of
17 the commission's order in 202100004, capital investments
18 at the Mitchell Plant that have useful lives beyond
19 2028. Wheeling Power is allocated a higher share of
20 those costs as the company doesn't have entitlement to
21 energy and capacity from Mitchell in 2028. So as I
22 discussed in my testimony, part of the application here
23 is a result of getting Kentucky Power back onto 50/50
24 share of the investments that are currently in place at
25 Mitchell. And then the cost allocation at that point

1 would then be 50/50 moving forward.

2 Q. And sorry, I should have been a little more
3 clear. When I said, "other effects," like, would there
4 be any other effects on the allocation of the cost other
5 than those -- the reallocation of those capital costs
6 that you talked about? Like, would it change the
7 allocation of O&M or the legal responsibility for O&M or
8 fuel costs?

9 A. Not to my knowledge, no.

10 Q. But it would've -- but the 2022 agreement
11 changed so Mitchell was operating or Wheeling was
12 operating Mitchell and that would remain in place?

13 A. That's correct.

14 Q. Are there any agreements other than the two
15 that are attached to your direct testimony that govern
16 the allocation of a responsibility for capital costs for
17 the Mitchell plan?

18 A. Not that I'm aware of.

19 Q. I'm not talking specifically about the capital
20 cost at issue in this case, but more just generally how
21 the contract would operate, you know, assuming it went
22 back to 50/50 allocation. You know, on a going forward
23 basis, like, as capital projects come up, would Kentucky
24 Power customers have to pay 50 percent of all capital
25 costs for the Mitchell Plant in order for Kentucky Power

1 to retain its 50 percent share of the Mitchell Plant?

2 A. Yes. That's what the Mitchell Operating
3 Committee or Mitchell Operating Agreement provides for.
4 Again, that's part of the overall operation of the
5 Mitchell Operating Committee, is to review budgets that
6 would include, you know, additional capital projects
7 that would be required at the Mitchell Plant. And so,
8 both the company, Kentucky Power in this instance and
9 Wheeling Power would meet review those types of projects
10 and ultimately approve a budget to move forward. But
11 those -- that cost allocation would be reflected on a
12 50/50 allocation moving forward to the extent this
13 application is approved.

14 Q. And I understand that it -- it talks about,
15 like, a 50/50 allocation, but I guess in order to retain
16 -- where does that come from? And maybe I can ask this
17 as a post hearing gather request. You know, where would
18 that come from in the contract that in order to maintain
19 your 50 percent share, that you would, you know -- I'm
20 not even arguing with the premise. I'm just trying to
21 understand the legal basis for it, you know, in the
22 contract.

23 A. Yes, there -- there -- there is a provision
24 within the operating agreement itself that discusses how
25 cost allocation -- I -- I -- I want to be clear. There's

1 no provisions related to change in ownership share that
2 I'm aware of. It's just related to how the costs are
3 allocated within the operating agreement itself. So
4 there are provisions. I can look -- look for them now,
5 if you would like. They discuss the allocation of
6 project costs within the agreement, so

7 Q. I can do a post hearing gather request and ask
8 just to direct us to those. And, you know, I think I
9 probably will ask and, you know, I'll let your counsel
10 decide, you know, to the extent which you can answer
11 either in post hearing or in a brief, just the basis for
12 -- and again, I'm not arguing. I'm just trying to
13 understand, you know, what the basis for the premise
14 would be, but I understand you would have the contract
15 that would require certain allocation, but then where do
16 you get to that next step of, you know, if there's a
17 dispute or disagreement over cost, you know, and -- and
18 ultimately, Kentucky Power didn't pay a portion of the
19 capital cost, where do you get you know -- how do you
20 reach the point where you believe that Kentucky Power
21 would have to give up its 50 percent share.

22 A. Understood. There are provisions within the
23 operating agreement itself that provide for, you know,
24 the potential for some different allocation of project
25 costs based on --

1 Q. And I'll ask that at the post hearing because
2 I know that's not really something you can answer here
3 and, you know, to the extent it's, you know -- it's
4 definitely something that there's some interest in and,
5 you know, another briefing on it or, you know, in a post
6 hearing, you know, I think that would be helpful.

7 A. Sure.

8 Q. And kind of along the same lines, you know,
9 I understand here the premise, you know, with the ELG
10 Project that, you know, the premise of this needed to
11 shut down, you know, or it couldn't operate beyond
12 2028 -- a, if you didn't, you know, complete the ELG
13 Project. But, you know, for instance, if there's a
14 situation say with like the tower, I think there was one
15 option which had potentially a ten-year life and then
16 another option, you know, which had a longer life, which
17 is more expensive. You know -- if you know, we were to
18 approve this, and it kind of goes back to the status
19 quo, and then there's a disagreement between Wheeling
20 and Kentucky Power or the West Virginia Commission and
21 the Kentucky Commission, you know, as to, you know, what
22 is the reasonable lease cost, you know, option moving
23 forward. You know, if one chose, you know, the cheaper
24 option for ten years and one chose the more expensive,
25 you know, would we be in that position again, where

1 someone would be, you know, having to give up a portion
2 of their capacity and energy? And what would the legal
3 basis -- and I can do that as a post hearing. I guess
4 with respect to the O&M for Mitchell, I know O&M is
5 covered in there and it talks about 50 percent or
6 something effectively, like 50 percent sharing, you
7 know, if the Commission in the future, you know, were to
8 determine with Wheeling continuing to operate -- if the
9 Commission were determined that, you know, the cost of
10 the O&M in a particular year were unreasonable, and I
11 know Kentucky Power might take, you know -- there might
12 be reasons where someone could take a position, well,
13 that's not unreasonable; here's why we did it. So I'm
14 just saying assuming that the evidence indicated that it
15 was unreasonable and that was the only real evidence,
16 would there be a legal -- could the Commission make an
17 adjustment of that O&M or would there be a contention
18 that, you know, there's a legal requirement to pay 50
19 percent no matter what and that you couldn't make an
20 adjustment for unreasonable O&M?

21 A. So -- so my general understanding of -- of the
22 question, there is, again, the company is currently
23 being allocated 50 percent of the O&M related costs for
24 Mitchell. You know, those are annual expenses of the
25 company. Company has a 50 percent interest in the

1 energy capacity for Mitchell right now, so it's
2 responsible for 50 percent of those costs. We include
3 those costs in various rate proceedings of which the
4 Commission can review the urgency of any of those
5 investments. So the Commission can make that
6 determination if -- if the evidence is -- is such, but
7 I'm not sure I can go beyond that, obviously. Just
8 stating the Commission has the authority to review and
9 approve or adjust any -- any of our costs related to any
10 of our proposed, you know, recovery mechanisms.

11 **Q. I guess I was just wondering, like if -- and**
12 **if you can't answer, then you can let me know. But, you**
13 **know, if Mitchell were dispatched, say on an uneconomic**
14 **basis, and a commission -- the commission were**
15 **determined that, you know, doing so resulted in an**
16 **unreasonable cost that the Commission wanted to exclude**
17 **as part of either general rate case or a deal adjustment**
18 **or some other filing, the company's position wouldn't be**
19 **that there would be a legal prohibition on that.**

20 **A. I don't know that I can speak to a -- a legal**
21 **prohibition on -- on that requirement. I can tell you**
22 **that I -- I believe there are provisions within the**
23 **Mitchell operating agreement that provide for cost**
24 **allocation, including instances where one of the members**
25 **operates the unit differently. But that's -- that's the**

1 extent. I can't say for certain whether or not there's
2 a legal prohibition on -- on that or not.

3 **Q. With Wheeling Power kind of taking over the**
4 **operation under the current agreement, would -- does**
5 **Kentucky Power's personnel still make decisions about**
6 **when they want their portion to be dispatched, or is**
7 **that decision made by Wheeling Power?**

8 A. Mr. Vaughn may be able to give you some more
9 information, but my understanding at a high level is
10 that -- that unit is dispatched as -- as -- as a single,
11 you know, entity. It's not Kentucky Power or Wheeling
12 Power making an individual decision. It's bid into the
13 market by our -- our comma commercial operations group
14 based on market economics or a designated must run to
15 the extent that -- that -- that requires, but the
16 Company Witness Vaughn could give you some further
17 detail on that.

18 **Q. And if you need to defer this question to**
19 **Mr. Vaughn or someone else, who makes the decision**
20 **with -- with Wheeling Operating, who makes the decision**
21 **on how and when to bid the Mitchell plants into PJM?**

22 A. Yeah. Mr. Vaughn can you give any specifics
23 on -- on how that process is implemented.

24 **Q. Okay. And a part of the ELG costs that the**
25 **company is seeking to recover in this case,**

1 I know it's about 77, 78 million. It includes about
2 20 million -- or 20.1 million in kind of past amounts
3 that were recovered from Wheeling Power, including
4 carrying costs on Wheeling power. Do you know -- and I
5 guess this kind of goes back to, you know, what's in the
6 agreement, but what would be -- I would understand,
7 I guess, you know, having to cover their share of the
8 capital costs, but what is the basis for, I guess,
9 covering Wheeling Power's carrying costs since the ELG
10 plant was constructed?

11 A. Yeah. So that provision is appropriate given
12 the fact that West Virginia customers are currently
13 paying and have paid for 100 percent of the ELG
14 investment associated with -- with making those
15 investments. So if we go back to case, you know,
16 2021-0004, had the company been in the same position
17 where the commission had approved both CCR and ELG, the
18 company would have been entitled to recovery of those
19 capital investments as well as, you know, a return on
20 and carrying costs associated with those capital
21 investments. So this provision is required to get
22 Kentucky Power back on level footing with Wheeling Power
23 customers. Ultimately, the -- the -- the need for this
24 is because Wheeling Power and West Virginia customers
25 have taken on that risk associated with making those

1 investments, even though they were being allocated 100
2 percent of those costs, now our customers
3 ultimately -- because of those investments made by
4 Wheeling Power, our customers now have the optionality
5 to continue to take energy and capacity from Mitchell
6 beyond 2028 because of the investments made by Wheeling
7 Power and paid for by West Virginia customers. So to
8 the extent that our customers can now benefit from
9 having that plant available to our customers beyond
10 2028, in my opinion, it is reasonable that we compensate
11 Wheeling Power for what would have been our 50 percent
12 share of the cost of the ELG equipment had we originally
13 been approved that investment in the original Case
14 2021-0004.

15 **Q. Just changing topics really quick for a**
16 **second, are you familiar with cases from the Commission**
17 **indicating that the Commission is not able to grant a**
18 **CPCN for projects that have been completed, but those**
19 **cases also often indicate that the Commission may**
20 **authorize the recovery of those investments; they just**
21 **wouldn't grant the CPCN?**

22 **A. I'm not specifically aware of that.**

23 **Q. Okay. I guess, and -- and perhaps, you know,**
24 **I can ask this at the post hearing or something that can**
25 **be included in a briefing but, you know, assuming the**

1 commission cannot grant a CPCN simply for procedural
2 reasons, that the position is you can't grant a CPCN for
3 a project that's already completed, but authorize the
4 recovery of the amounts. You know, would Kentucky Power
5 contend that such an order would prevent Kentucky Power
6 from retaining its share of Mitchell?

7 A. No, I --

8 MS. GLASS: Are you -- Mr. Bellamy, are you
9 indicating you will ask that at a post hearing data
10 request or are you asking for a response from
11 Mr. Wolfram?

12 MR. BELLAMY: If he can answer. If not, I can,
13 you know, do a post hearing or both.

14 MS. GLASS: Okay. I think Mr. Wolfram can
15 answer to the extent that it's not calling for a
16 legal conclusion.

17 THE WITNESS: Again, my -- my general lay
18 person understanding is if the Commission were to
19 approve the cost recovery associated with the --
20 what would be the company's 50 percent investment
21 required to have entitlement to the ELG equipment,
22 then the company would move forward with making that
23 payment to Wheeling Power and reflecting a 50
24 percent interest in -- in the plan to move forward.

25 MR. BELLAMY: Okay. And I'll ask that as a

1 post hearing. It's just a point of order really
2 but --

3 MS. GLASS: Okay. Thank you.

4 BY MR. BELLAMY:

5 Q. Back on the carrying costs for Wheeling,
6 were -- were the carrying costs -- how were the carrying
7 costs -- or I'm sorry, how was the ELG investment
8 reflected in Wheeling Power's rates? Was it immediately
9 reflected, or was it reflected on some sort of delay?

10 A. I'm not sure I can give you that specifically.
11 When we were building the revenue requirement, we worked
12 with the Wheeling Power team. I -- I don't fully
13 understand all of their recovery mechanisms, but they
14 provided us a revenue requirement for one of their
15 recovery mechanisms that delineated their recovery of
16 those ELG investments. I don't know the specific timing
17 in terms of when that mechanism began recovering those
18 costs. But I do believe that was included in one of our
19 attachments that may have provided a timeline showing
20 how the -- the cost was calculated ultimately to come up
21 with that 20.1. roughly million.

22 Q. Would the -- to the extent that you recovered
23 the 21 -- or 20.1 million from Kentucky Power customers,
24 would that full amount be credited to Wheeling Power
25 customers, or would any portion of it be retained by AEP

1 or Wheeling Power or Kentucky Power?

2 A. I don't know specifically the -- the -- the
3 West Virginia requirements on that, so I -- I can't
4 speak specifically to what we like to do in that
5 instance.

6 Q. I might ask a post hearing data request for
7 that. You had mentioned the securitization and kind of
8 supporting new securitization legislation. Would -- if
9 -- and I guess I don't -- you know, you don't need to go
10 into, you know, too much detail, but would the
11 legislation that you're thinking about, would that
12 include the securitization of both regulatory assets and
13 amounts associated with existing plant in service?

14 A. Yes.

15 Q. And how would the securitization -- just
16 generally speaking, and you can reference -- I know that
17 West Virginia has something similar. How would the
18 securitization of the cost associated with the plant in
19 service function? Like who -- would Kentucky Power
20 retain title or their 50 percent share and it would just
21 be refinanced?

22 A. Yes.

23 Q. Can you kind of explain that just briefly?

24 A. Yeah. So the idea behind the securitization
25 legislation that we're seeking is to securitize, to

1 continue to operate the Mitchell plant. So we would
2 securitize the remaining netbook value that would,
3 ultimately, allow the company to reduce overall bill
4 impacts associated with the operation of Mitchell to all
5 of our customers. And then ultimately, with the
6 securitization proceeds, we would seek to reinvest those
7 securitization proceeds in additional generation within
8 the Commonwealth. So our goal is to securitize to
9 reduce bill impacts, reinvest capital in Eastern
10 Kentucky, and ultimately, continue to operate the
11 Mitchell plant.

12 **Q. I don't have any other questions. Thank you**
13 **very much for your time.**

14 A. Thank you.

15 COMMISSIONER HATTON: Okay. Commissioner Wood.

16 COMMISSIONER WOOD: Yeah. I'll ask a couple of
17 questions.

18 EXAMINATION

19 BY COMMISSIONER WOOD:

20 **Q. Good morning. Thank you for --**

21 A. Good morning.

22 **Q. -- coming this morning.**

23 A. Of course.

24 **Q. I'm the new commissioner, so I think I can**
25 **still get away with asking new commissioner type**

1 questions. And I have not heard the terms, "CCR rule"
2 before or "ELG rules."

3 A. Sure.

4 Q. And I wondered if you might take a minute or
5 two to explain, sort of, what you're looking at in terms
6 of those rules?

7 A. Sure. So the CCR rule is the Coal Combustion
8 Residual rule. That rule dealt with certain ash -- ash
9 requirements, ash impoundments, and how we would,
10 ultimately, have to -- to monitor and remediate
11 any -- any -- any of the ash related items for coal
12 facilities. And Company Witness Snodgrass could
13 probably speak a little bit better on the specifics of
14 what the requirements were and -- and -- and -- and --
15 and the technology implemented to address the CCR.
16 I think it's actually in his testimony. And then the
17 ELG is the Effluent Limitation Guidelines. So that,
18 again, addresses similarly related environmental
19 upgrades required to make the plant environmentally
20 compliant. But Company Witness Snodgrass can provide
21 some other information on specific -- like what specific
22 equipment was required to be installed and -- and what
23 it that specifically.

24 Q. Well, that's exactly where I was going.
25 So thank you for saying that.

1 A. Of course.

2 Q. Are you -- is your testimony that the
3 proposals being made today are the least bad option for
4 Kentucky Power?

5 A. No -- no. Absolutely not. I -- our position
6 is that, again, we looked at this on a spectrum of -- of
7 time, right? We -- as a result of the 2021 order
8 denying the ELG investment, the company began evaluating
9 options to replace the energy and capacity from -- from
10 Mitchell. It engaged in IRP analysis. As a result of
11 the IRP, it engaged in RFP. So we went out to test the
12 market to see what resources were available to get a
13 sense of, you know, what a replacement option for
14 Mitchell would look like. Ultimately, as my testimony
15 states, there were significant fluctuations in -- in the
16 market, as a result of new EPA regulations and just a
17 tightening of supply and demand for generation resources
18 that caused, you know, capacity prices to increase.
19 So the company evaluated its RFP results, specifically
20 with -- as it relates to thermal options to replace
21 Mitchell. And based on its analysis, Mitchell continues
22 to be the least cost option to serve customers. From
23 our perspective, the -- the Mitchell plant continues to
24 provide safe and reliable service to customers, and it's
25 the least cost option for customers. So I wouldn't

1 classify it as least bad. I think it's the best option
2 that we really have for customers at this point. And,
3 you know, overall the bill impact associated with making
4 any investments are the least cost thing that we can do
5 for our customers. And that's why we selected it.

6 **Q. What other options were considered besides**
7 **just buying it off -- buying electricity off the market?**

8 A. Sure. So the other options that we looked at,
9 as a result of our RFP, we were looking at various PPA
10 options. As a result of the PPA -- RFP results, we did
11 negotiate with one counterparty to secure an existing
12 resource. Those negotiations were ultimately
13 terminated. And so, at that point, we started to
14 reevaluate the remaining PPA options that we had. But
15 ultimately, when you -- when we were looking at the cost
16 associated with the PPA options to replace Mitchell,
17 Mitchell was ultimately cheaper. And that's what
18 Company Witness Vaughn demonstrates in his direct
19 testimony analysis, where we compare extending our
20 interest in Mitchell versus replacing Mitchell with PPA
21 options or buying through the market and market
22 continues to be the most expensive option. So we felt
23 it prudent, at that point, to go ahead and make the
24 filing to seek extension of our interest in the energy
25 capacity from Mitchell.

1 **Q. Is Kentucky Power a victim of the data center**
2 **surge in electric demand, would you say or**

3 A. Not at this point. The company does not have
4 significant data center growth within its -- its
5 footprint, specifically.

6 **Q. I guess what I'm saying is, would the PPA**
7 **price have been cheaper, probably, before the surge in**
8 **electric demand from data centers around the country?**

9 A. I might have to defer to Company Witness
10 Vaughn on that, specifically, just because of the timing
11 of the RFP. I would expect that to be part of the
12 reason. But I think, especially with our thermal bids,
13 the change in the EPA regulations, specifically the
14 111(d) rule, which required the additional ZLD
15 investment, that -- that -- that also drove prices. So
16 I don't know that I can say specifically, it's
17 absolutely the data centers. It's, kind of, a
18 combination of -- of all factors.

19 **Q. Very well. Thank you.**

20 A. Thank you.

21 COMMISSIONER HATTON: Commissioner Regan.

22 COMMISSIONER REGAN: Yep. A couple.

23 EXAMINATION

24 BY COMMISSIONER REGAN:

25 **Q. Good morning.**

1 A. Good morning.

2 Q. Can you walk through with us, kind of, the
3 decision tree to enter into settlement discussions,
4 where the -- where they start and without getting into
5 confidential --

6 A. Sure.

7 Q. -- issues, just, kind of, talk about the
8 process and where on the decision tree is your jumping
9 off point to enter into a settlement?

10 A. So -- so generally speaking, when the company
11 files its application and we go through the discovery
12 process, and then typically, once we see intervener
13 testimony and understand the -- the position of the
14 parties, that's when we'll start to engage to see if
15 there are certain things that, you know, we can all
16 agree on to move forward with settlement. So you know,
17 typically speaking, we -- we want to understand where
18 the intervening parties are -- are coming from, what
19 their positions are, kind of things that they want to
20 see as a result of the case. And then we take that
21 back, see if there's anything that we are comfortable
22 with, in terms of something that we can agree to. And
23 then ultimately, we work with the intervening parties to
24 see if there's a settlement option moving forward. And
25 in this case, I was very grateful that we had that

1 opportunity, yes.

2 Q. And not everyone signed on, correct?

3 A. No.

4 Q. Are there still discussions going on to try to
5 get them on board, or no?

6 A. Not at this point, no.

7 Q. Okay. I'm sure you're aware that the increase
8 in ratepayers' bills is a big concern. And I'm looking
9 at your testimony, the original testimony, Page 25 on
10 Lines 3 through 10.

11 A. I'm there.

12 Q. Can you talk through that a little bit?
13 Normally, those price increases would go in effect right
14 away, but you've decided to hold back on that and carry
15 those through 2031?

16 A. Yes. So the -- the 20.1 million will
17 ultimately represent an expense to the company. However,
18 in this instance, instead of seeking immediate recovery
19 of an expense, like, would -- would be normal, right?
20 A normal O&M, you recover that on an annual basis.
21 We decided we wanted to avoid immediate rate impacts of
22 a \$20.1 million revenue requirement. So functionally
23 what we did was, okay. We understand we have, you know,
24 a challenged socioeconomic status within -- within our
25 territory. So we try to evaluate options to reduce

1 overall bill impacts. So instead of seeking to run that
2 21 -- 20.1 million through rates, the environment
3 surcharge, immediately, we decided to extend that
4 recovery, ultimately providing immediate bill impact
5 relief for customers. And based on the settlement
6 agreement, we've furthered that by extending the
7 recovery even further. So customers are seeing, again,
8 overall decreases from the company's as filed position.

9 **Q. Okay. Is there anything that concerns you**
10 **about the settlement that hasn't been discussed or from**
11 **an operational standpoint?**

12 A. No, Your Honor. I think the settlement, as I
13 stated on -- on my direct, balances the interest.
14 It allows the company to maintain energy and capacity
15 from a significantly sized base loaded generation
16 resource. I think we all can appreciate the -- the need
17 to have that type of resource available to the company.
18 You know, specifically, we're -- we're going to start
19 planning for PJM planning years '28, '29 here in the
20 near future, early next year. So we really need to
21 understand whether or not we're going to have Mitchell
22 as part of the system, because if we don't, our option
23 position will -- will be challenged in terms of having
24 to find short term market capacity to replace Mitchell.
25 So having a decision on this application, hopefully

1 extending our interest of Mitchell will be very
2 significant from our perspective and ultimately, our
3 customer's perspective, because if not, they will be
4 exposed to some of those market pressures that we talked
5 about with the closing supply and demand on generation
6 resources throughout the PJM region.

7 **Q. Okay. Thank you.**

8 A. Thank you very much.

9 EXAMINATION

10 BY COMMISSIONER HATTON:

11 **Q. Good morning, Mr. Wolfram.**

12 A. Good morning.

13 **Q. I wanted to ask you a few questions about that**
14 **potential federal grant. Can you hear me, okay?**

15 A. Yes, ma'am.

16 **Q. Okay. Do you know what the timeline is or**
17 **application process, has that been?**

18 A. Yes, Your Honor. So I -- I'm aware that the
19 DOE has recently changed that due date of the
20 application to December 8th. So the company is planning
21 to submit an application by that December 8th timeline.
22 I don't have definitive dates on when we expect an
23 award, or any of the awards to be granted, but I do know
24 the overall due date is December 8th.

25 **Q. Not a ton of information has been -- details**

1 **have been disseminated publicly about that, but**

2 A. Yeah. I have very limited information in
3 terms of, you know, what the -- like the timing and how
4 the structure works. You know, generally speaking, I'm
5 aware of the -- the dollar amount that's available and,
6 kind of, the three specific categories of grant
7 applications that the -- the DOE is currently taking. So
8 we're -- we're currently working on our application and
9 hope to -- hope to submit it here in the next couple
10 weeks.

11 **Q. Yeah. And do you have an idea of how much**
12 **you'll be asking for?**

13 A. I do. But I think at this point, Your Honor,
14 we -- if you wanted that response, we may have to go
15 into confidential session, just given some of the -- I
16 don't think anybody's application is in, so I'm happy to
17 provide that, but

18 **Q. It's December 8th?**

19 A. Yes.

20 **Q. It'll be in. Okay. And so, that'll be -- I**
21 **mean, at that point, can the public see the application?**

22 A. My understanding is those will be public
23 applications, yes.

24 **Q. And we won't have a decision yet in the case,**
25 **so we could ask some DRs about that if we --**

1 A. Okay.

2 Q. -- if we've seen it by December 8th. Assuming
3 it were granted, assuming it were a considerable amount,
4 how would that affect your ratepayers?

5 A. It would ultimately buy down the cost of any
6 of the options to address the structural needs at the
7 Mitchell Unit 2 cooling tower. So we're in the process
8 of evaluating those options to make a -- an application
9 related to those -- any options related to address the
10 structural needs of Mitchell, for the Unit 2 cooling
11 tower. So ultimately, if the federal grant money were
12 awarded, that would reduce the overall price of whatever
13 project we -- that we, ultimately, select as the right
14 option for making those units safe and reliable.

15 Q. It's a grant, not a loan, as I understand it.

16 A. Yes.

17 Q. A potential grant at least. And so, you would
18 make some sort of a filing with the PSC, if it were
19 granted, to let us know how you wanted to distribute
20 that?

21 A. Yes. Or it could be included in -- depending
22 on the timing, if the company files a CPCN application
23 for the replacement option -- or the option to address
24 the structural anomaly of the Mitchell Unit 2 cooling
25 tower, it will be reflected in the company's cost of

1 that -- that option and the ultimate building tax
2 associated with it.

3 Q. Okay. And the perimeters around that loan, as
4 I understand it, are designed to extend coal-fired power
5 plants, or

6 A. My -- my general understanding is there's
7 three different categories. One of those is related to,
8 I believe, like retrofitting to either coal-fire
9 existing code -- coal units or -- or the, like, the --
10 the one that we're looking at is the rural component to
11 allow for projects within rural communities that have
12 existing coal facilities to address, you know, potential
13 needs at those existing coal units.

14 Q. But the rural aspect of it would also need to
15 include an aspect of coal?

16 A. Yes.

17 Q. So it couldn't be used? I mean, I'm aware
18 that we are to expect a CPCN from Kentucky Power
19 sometime in 2026 for an additional generating unit.
20 It couldn't be used for something like that?

21 A. Not that I'm specifically aware of at this
22 time, Your Honor.

23 Q. Mr. Bellamy was asking you some questions
24 about the federal environmental protection laws and
25 those are the laws, the 2020 rules, that require these

1 ELG upgrades. You said that you didn't think it was
2 likely that they'd be revoked; did I understand that
3 correctly?

4 A. No. I -- I just have no basis, at this point,
5 to know for certain if there's going to be a delay
6 scenario in those environmental regs or if they are
7 ultimately repealed. Like I stated in my testimony,
8 we're aware that the EPA stated that they're evaluating
9 those rules. I've been in some high level discussions
10 around, you know, potential, you know, thought --
11 thought process on how we would, you know, operate to
12 the extent that those rules are delayed. But right now
13 we're just kind of waiting on a signal from the EPA as
14 to what they're ultimately going to do.

15 Q. That's not in your control, and I understand
16 that. It's not within the control of anyone in this
17 room, but it might delay compliance rather than outright
18 revoke the requirement for compliance?

19 A. That's my understanding.

20 Q. Maybe?

21 A. Yes -- yes. There is.

22 Q. It could revoke, it could delay. At what
23 point does that affect your expectations from your rate
24 payers or level or length of amortization period? I
25 mean, like, how are you thinking about that, and how

1 will your rate payers know, and how will the PSC know,
2 if compliance gets delayed, how that affects a rate
3 payer's wallet?

4 A. Sure. So you know, right now, as we -- as we
5 sit, to the extent that the EPA rules aren't either
6 delayed or repealed, the company will have to make
7 decisions. Assuming that it is a -- you know, the
8 interest in energy capacity from Mitchell is extended
9 beyond 2028, we will have to make a decision on which
10 environmental scenario that we ultimately comply with.
11 If the EPA regulations are delayed and we can continue
12 to operate the plant as is, that is obviously one of
13 those options that we will continue to evaluate.
14 Obviously, in that scenario, if you're -- you're kind of
15 business as usual, you don't have to file CPCN
16 applications necessarily, you know, depending on what
17 kind of projects are required to -- you know, just
18 normal operation of the plant. But, you know, I think
19 we can evaluate ways to communicate that to customers,
20 to the extent that, you know, that remains the -- the
21 option for the company's ultimate compliance option.
22 So you know, right now we're kind of in a position
23 where -- where we're -- we're waiting and seeing, but
24 also evaluating, you know, what compliance steps we
25 would ultimately take, to the extent that those frames

1 are -- remain on the books.

2 Q. Yeah. And to further illustrate how hard it
3 is to regulate utilities, as well as run a utility in
4 today's current atmosphere, what about the opposite
5 scenario? What about in three years? Or potentially
6 after midterm elections in '26 -- like, what if the
7 exact opposite happens? What if suddenly all of these
8 requirements are back in place, where -- and the federal
9 government is no longer intending to incentivize
10 coal-fired power plants being continued? How are you
11 thinking about that, and how could you reverse course?
12 And I'm sorry, that -- it's a horrible question that I'm
13 asking you.

14 A. No, you're good.

15 Q. But tell me how you're evaluating these
16 things.

17 A. Yeah. So I -- I think specifically, as you
18 looked at Company Witness Vaughn's testimony, that's
19 part of the process that we're engaged in right now,
20 where he's evaluating post-2031 options, and we're
21 looking at it from, you know, what's the overall cost of
22 any of the compliance options? How does that impact our
23 customers? Do any of the compliance options bias in
24 terms of, you know, time that the -- the Mitchell plant
25 can continue to operate either under a new paradigm or,

1 you know, 40 percent co-fire or 100 percent natural gas
2 conversion? So I think his analysis is really kind of
3 where we're at. We're evaluating those options to the
4 extent -- we're planning right now as if those EPA
5 regulations remain in place, and so we're evaluating
6 those options. And then to the extent that we get to a
7 place -- the timing of these rules is ultimately going
8 to dictate when we have to file -- you know, the EPA
9 can't wait, hopefully, too much longer --

10 **Q. Right.**

11 A. -- because we need to understand what the
12 paradigm is. Assuming they don't act and the rules
13 remain in place, then we will have to make applications
14 to select a compliance option, which would include, you
15 know, either making the ZLD investments, co-firing the
16 unit, or converting to gas. So we are evaluating all
17 those options right now, expecting -- currently planning
18 to the current regulations.

19 **Q. Yeah. So the first time this relief was**
20 **requested was in a 2021 case. That was during the first**
21 **version of the current administration, the first Trump**
22 **term, but I think the decision didn't come in until**
23 **2022, if I'm remembering it correctly?**

24 A. I believe the order came out in July of '21.
25 We were on rehearing through 2022.

1 Q. In '21? Okay.

2 A. Yes -- yes.

3 Q. Okay. So at that time, we were still in this
4 administration -- or, sorry, first version of Trump
5 administration in '21; is that right?

6 A. I think that's right. I don't -- I don't --
7 know.

8 Q. Is that right?

9 A. I don't -- know that would've been the first
10 year of the Obama administration.

11 Q. That was Obama?

12 MR. GISH: First year --

13 BY COMMISSIONER HATTON:

14 Q. Okay, '16 through '20, and now '24. Okay. Got
15 you. But -- so it was found unreasonable, under the
16 current expectations, to continue coal plant operations
17 or to continue these -- but now everything's changed?

18 A. Yes, Your Honor. I think we talked about it a
19 lot in this proceeding, but we are in an entirely
20 different world in terms of utility planning,
21 specifically generation planning, given, you know, the
22 increase in electrification data centers, the
23 constraints on generation markets right now. I -- I
24 think in my testimony I talked about the PJM BRA pricing
25 was clearing at, you know, \$27 a megawatt-day, and now

1 it's over \$300 a megawatt-day. So there has been
2 significant cost shifts, and that's why we went through
3 the -- the total evaluation again. And ultimately, you
4 know, given those changes, Mitchell is a plant that we
5 feel very strongly needs to continue to be part of our
6 portfolio, because being subject to those market
7 conditions that are out there right now would be very
8 challenging both for us --

9 **Q. Yeah.**

10 A. -- and -- and our customers.

11 **Q. So Commissioner Wood was asking you a little**
12 **earlier about the effect of the data center rush and the**
13 **giant load capacity expectations coming up in relation**
14 **to that -- that did at least affect market prices and**
15 **how reasonable it is to think we could rely on the**
16 **market?**

17 A. Yes, it -- it has an impact, as -- as well as,
18 you know, the currently existing EPA regulations have
19 impacts on, you know, generation prices generally,
20 because obviously, if you have to comply with additional
21 environmental regulations, your costs to operate go up.
22 So the -- that's building into some of that price as
23 well.

24 **Q. Under current law, federal law, this plant**
25 **can't be operated beyond 2028 without these ELG**

1 **upgrades?**

2 A. Correct.

3 **Q. I think everyone agrees on that.**

4 A. Yes.

5 **Q. Yeah. And if it's revoked, we don't know.**

6 A. So my understanding of what the EPA is looking
7 at is not related to the current -- I'll -- I'll call it
8 ELG 1, which is what has been installed at the plant.
9 The ELG 2 and the greenhouse gas rules and the MATS
10 rules are what the -- my understanding of what the EPA
11 is looking at in terms of either delayed environmental
12 compliance or potential revocation of those rules.

13 **Q. Got you. Okay. So since this ELG upgrade was**
14 **denied in the 2021 case, what planning has Kentucky**
15 **Power been doing to either acquire or build generation?**
16 **It feels like this is a little late. It feels like this**
17 **is going back and trying to do something that's --**
18 **hasn't -- it feels a little bit knee-jerk at this point.**
19 **What planning have you been trying to do to build -- ask**
20 **for authorization to build or acquire generation?**

21 A. Sure. So as I kind of walked through a little
22 bit, after the 2021 case where the EOP was denied,
23 almost immediately we rolled into our IRP planning to
24 identify -- and as part of our IRP, that IRP selected
25 options to replace Mitchell, because our IRP planning

1 reflected Mitchell no longer being part of our
2 generation portfolio after 2028. So based on what the
3 IRP preferred plan was, the company went out and
4 solicited an RFP for replacement resources. As a result
5 of the RFP, we engaged in negotiation with the Bright
6 Mountain Solar facility, which -- we brought the
7 application to -- to this commission in 2024. And then
8 we were also engaged in discussions to buy an existing
9 facility. At that point, we were evaluating that
10 option. We got to a point where those negotiations were
11 ultimately terminated, and then we had to make
12 evaluations. So we have been very specific in terms of
13 our planning. We have been evaluating replacement
14 options. We went to the market to test it, to see what
15 was out there, and then after we tested the market, we
16 looked back at Mitchell and said, this is still, from
17 our perspective, least cost option. We knew we had a
18 little bit of lead time because our interest in Mitchell
19 continued through 2028. So we were trying to evaluate,
20 and we did evaluate whatever options we had to replace
21 Mitchell, but based on all the analysis we did, Mitchell
22 was the least cost option for our customers. And that's
23 why we -- we brought in the application when we did.

24 **Q. Okay. You want me to direct any questions**
25 **about decisions about economic -- non-economic dispatch**

1 to Mr. Vaughn?

2 A. Mr. Vaughn would probably be the right witness
3 for that.

4 Q. Okay. I will ask you an overreaching
5 question --

6 A. Sure.

7 Q. -- about a 50/50 ownership. Generally, an odd
8 number is better for decision-making, just because what
9 if they disagree? If we're 50/50 partners with our
10 sister or brother power company under AEP's roof, who
11 makes a call if you disagree? Or is there a plant
12 manager that makes the decision?

13 A. So there -- on the Mitchell operating
14 committee, there are three voting members. So it would
15 be Company President Wiseman of Kentucky Power, Aaron
16 Walker, who's the president of Wheeling and Appalachian
17 Power Company, and then there is an AEP SC
18 representative that would function as a tiebreaker, to
19 the extent there's disagreement amongst the -- the two
20 operating company presidents.

21 Q. So it sounds like parent company makes
22 decisions?

23 A. No, I wouldn't say that. I think it's --
24 again, we're -- we're evaluating --

25 Q. Unless the two of you agree?

1 A. Yes, I -- my -- my experience with the
2 Mitchell operating committee is that we are usually very
3 aligned in terms of, you know, doing the right thing for
4 our customers and picking whatever options that we need
5 to provide safe and reliable and least cost reasonable
6 service to our customers. So I would say that we are
7 generally in line. You know, I think Wheeling Power and
8 Appalachian Power have, you know, similar challenges
9 that -- that we do, and so we are really trying to find
10 ways to, you know, improve, you know, our reliability,
11 our affordability. We're -- we're looking at those
12 options. So I -- I would say we're generally aligned,
13 but we do have a tiebreaker to the extent necessary.
14 But in my experience, that -- that has not been
15 necessarily in any of the operating committees that I'm
16 aware of.

17 **Q. As I understand it, some of the non-economic**
18 **dispatch decisions were made because coal was on the**
19 **ground, and they couldn't store anymore and needed to**
20 **burn some of it. Does that sound accurate? Or if it's**
21 **something you don't know about, then I'll accept that**
22 **answer.**

23 A. Yeah, and it -- generally speaking, there are
24 instances where the company evaluates, you know, the
25 cost of paying liquidated damages for not being able to

1 take coal supply because of the coal pile --

2 **Q. They're long term contracts. Yeah.**

3 A. Yeah, exactly. So if the -- if the coal pile
4 at the facility is full or too high, we can't take
5 additional deliveries, then we will look at, you know,
6 burning off some of that coal running as -- running
7 those units as much to buy down the pile so we can
8 continue to take those deliveries, so we avoid potential
9 increased costs on the back end of those contracts.

10 **Q. Is any of it Kentucky coal?**

11 A. I don't know specifically. Mr. Snodgrass may
12 be able to -- to help you there.

13 **Q. All right. Which Mitchell unit is it that**
14 **hasn't been terribly reliable? Is it Unit 1 or Unit 2?**

15 A. I -- I would note that the Mitchell Unit 1 E4
16 is -- is a little bit higher than Unit 2 has been.
17 So E4 is equivalent forced outage rate, so that -- that
18 unit has experienced more E4 on that. But I -- I would
19 note that, as Company Witness Snodgrass pointed out in
20 his testimony, there -- there have been significant
21 improvements in both units' --

22 **Q. Yeah.**

23 A. -- E4 in -- in -- in recent years.

24 **Q. I understand that, and I -- I can ask him some**
25 **more questions about that, but is it one or both that is**

1 getting these upgrades?

2 A. The ELG upgrades? It -- it would apply to
3 both units.

4 Q. Both. Okay. So as I understand it, this is a
5 54-year-old coal plant?

6 A. That sounds about right, yes.

7 Q. It's older than me.

8 A. And me.

9 Q. Which my kids will tell you is real old.
10 It has about a 25 percent capacity factor --

11 A. I don't have --

12 Q. -- according to your IRP?

13 A. I don't have a specific number off the top of
14 my head, but --

15 Q. Okay. And I won't make you confirm that for
16 me. If you don't know it, that's okay. I think that
17 might be my understanding. It can be fixed on redirect
18 or with another witness. So the original application
19 process was that -- or proposal was that it would be
20 amortized -- the ELG cost -- amortized over about six
21 years, and under the settlement that'll extend until
22 2040, 2031 through 2040?

23 A. Yes, Your Honor.

24 Q. Okay. So that lessens the bill impact in the
25 short term for your rate payers?

1 A. That's correct.

2 **Q. Less shock in the bills?**

3 A. Yes, Your Honor.

4 **Q. Would they, in fact, though, pay more in the**
5 **long run because of the carrying costs?**

6 A. I'd have to look at --

7 **Q. Drag it out that many years?**

8 A. I'd have to look at the revenue requirements
9 specifically. I think it remains relatively close, but
10 there may be a higher overall bill impact from a
11 totality perspective. But the reductions -- it's
12 important to remember that -- that they're not only
13 getting -- the customers are also getting the decrease
14 associated with the CCR investments being pushed out.
15 So there are multiple components that customers are
16 receiving the immediate benefit for, and ultimately that
17 remains true in a world where we don't get
18 securitization legislation if we are able to secure
19 securitization legislation by extending the recovery of
20 these assets that will allow us to securitize those
21 assets, which would ultimately result in lower costs to
22 customers as -- as -- as proposed -- as compared to
23 either proposed scenario.

24 **Q. You mentioned the securitization costs.**
25 **I understand that the settlement is not predicated on**

1 the fact that we -- that has to happen. The
2 securitization legislation has to pass. It's not a deal
3 breaker as far as any of the parties were concerned, and
4 that was made clear. But is it still cost-effective to
5 secure it, like is the securitization only cost-
6 effective if Mitchell continues to operate through 2040?

7 A. I just want to make sure I -- I'm answering
8 your question. Is -- is your question whether or not we
9 would seek securitization legislation if we had to
10 identify a replacement option for Mitchell?

11 Q. I think I'm trying to ask you the opposite of
12 that.

13 A. Okay.

14 Q. Like, is this all still a good idea? Is it
15 still cost-effective if securitization doesn't happen?
16 I understand you still want to enter the settlement,
17 so that makes me think that you do think it is,
18 but --

19 A. Yes, I think either scenario with
20 securitization or without securitization, Mitchell
21 represents the least cost option to serve our customers.
22 The company is acutely aware of the impacts to our
23 customers and our -- so the -- the challenges that occur
24 within our service territory. So we are fighting as
25 hard as we can to identify cost saving options for our

1 customers. Specifically, as it relates to the company's
2 future generation portfolio, we want to be able to make
3 the necessary investments in additional generation while
4 keeping bill impacts -- you know, generally the same, if
5 we can. And securitization would be an avenue -- an
6 avenue that would allow us to keep those bill impacts
7 associated with any new gen down as low as -- as low as
8 we can get it. So we are trying to identify ways to
9 make immediate impact to our customers. Ultimately,
10 either way, though --

11 **Q. Yeah.**

12 **A. -- this is still the least cost option for our**
13 **customers extending our interest in Mitchell.**

14 **Q. So the most recent securitization case is**
15 **expected to save customers somewhere between 75 million**
16 **and 90 million over the long term. Is that still**
17 **accurate?**

18 **A. Is accurate as far as I know, Your Honor.**

19 **Q. Okay. I'm trying to decide how to ask this**
20 **question. The proceeds from that securitization, a lot**
21 **of it went to pay down debt.**

22 **A. Yes, Your Honor.**

23 **Q. Some of it went back to your parent company,**
24 **and there were equity decisions --**

25 **A. We -- we have not paid any dividend to parent**

1 company as a result of that securitization.

2 Q. Not as a dividend, but wasn't it \$83 million
3 in equity?

4 A. So the company in its currently pending rate
5 case is proposed to make an equity contribution to the
6 parent associated --

7 Q. And you're right, that is in the current rate
8 case.

9 A. Yes, Your Honor.

10 Q. I'm going to skip those questions.

11 A. Yes, Your Honor.

12 Q. We can deal with that later. But -- and so in
13 that case, I will also -- not ask you now to tell me
14 what you would do with the securitization, but you might
15 be able to understand how that would upset rate payers
16 to think that we securitize it because it's supposed to
17 save them money, but then it goes back to a parent
18 company.

19 A. Sure. I'll be ready to explain that Your
20 Honor.

21 Q. All right. And the settlement, as we
22 discussed, does have smaller monthly increases --

23 A. Yes.

24 Q. -- because of stretching out the amortization,
25 but it's not from reducing total costs?

1 A. Sorry, could you repeat the last part?

2 Q. Not from reducing total costs, just from
3 stretching it out?

4 A. Yes. That's -- that's generally correct.

5 Q. And you weren't able to answer at this point
6 if it would actually increase total cost, but we know it
7 won't reduce total cost?

8 A Yes. I -- there -- from a total cost
9 perspective, generally, as you extend capital investment
10 recovery and the company's entitled to a recovery at its
11 WAC the -- the total increase can be higher, but the
12 immediate bill impacts, especially -- it's especially
13 important now while we continue to advocate for
14 securitization legislation because we can ultimately, if
15 we have those, you know, larger rate based balances on
16 our books, we can securitize that larger amount to
17 provide even more cost savings to the customer. So
18 that's part of the -- the calculus when making the
19 decision to extend recovery of those assets.

20 Q. Okay. As far as the total cost of building
21 the cooling tower, the -- these might not be -- you
22 might not be the right witness for these, but do you
23 know why it has gone from a total cost of --

24 MS. GLASS: Your Honor, we might interrupt you.

25 Sorry. But I believe the information about the

1 cost --

2 COMMISSIONER HATTON: Oh --

3 MS. GLASS: -- are confidential.

4 COMMISSIONER HATTON: Oh, thank you.

5 MS. GLASS: You are welcome.

6 COMMISSIONER HATTON: Thank you. Thank you.

7 THE WITNESS: I didn't want to interrupt, but
8 sorry, Judge.

9 BY COMMISSIONER HATTON:

10 Q. No, please interrupt me when -- in those
11 circumstances. Are you the best person to answer those
12 questions? And if you are, we'll go into the closed
13 session, and if you're not, then I'll save that closed
14 session for the person who's best able to talk to me
15 about those costs, why they may have gone up, and --

16 A. The details on those cost -- Company Witness
17 Vaughn would be the --

18 Q. Vaughn.

19 A. -- the correct witness.

20 Q. Okay. I will save the confidential session
21 then. And make myself a big note not to forget that.
22 All right. I'm jumping around a bit.

23 A. You're fine.

24 Q. Sorry. Sierra Club's witness was of the
25 opinion that gas conversion at this plant would've been

1 **least cost. What's your response to that?**

2 A. As Company Witness Vaughn's analysis states,
3 and actually I'm -- I'm going to pause just to make sure
4 that -- I don't remember if his analysis on that was
5 confidential or not before I get into it.

6 MR. GISH: I think if -- well, it depends on
7 where you go. Sorry.

8 COMMISSIONER HATTON: And if you need a minute,
9 I'm willing to do a ten-minute break.

10 MR. GISH: Yeah, I think as long as we stay out
11 of the actions, specifics.

12 COMMISSIONER HATTON: Yeah, I don't I don't
13 want to put confidential things on the public
14 record, but I don't want to go off public record if
15 I don't have to.

16 MR. GISH: Yeah. If getting into the specific
17 prices and costs would be confidential because of
18 the future -- potential future investments. The
19 broader discussion about, you know, Company Witness
20 Vaughn's rebuttal to Sierra Club witness Glick's
21 testimony is not confidential.

22 BY COMMISSIONER HATTON:

23 **Q. Yeah. So broadly don't mention any numbers,**
24 **but tell me what --**

25 MR. GISH: That was the short answer to what

1 I'm trying to say.

2 THE WITNESS: So broadly speaking Company
3 Witness Vaughn's analysis as it relates to post 2020
4 -- or 2031 compliance options does show that -- that
5 -- that is correct, but ultimately, you know -- and
6 he can speak more to the analysis, but that is
7 factoring in various alternatives, including, you
8 know, having to comply with the currently existing
9 EPA regulations. So again, that's part of our
10 overall analysis on the future of the Mitchell plant
11 beyond 2031. But at this point without approval of
12 this application, you know, that decision will -- if
13 we -- if the company's not entitled to energy
14 capacity, and isn't responsible for, you know, the
15 cost associated with the -- those environmental
16 upgrades or conversion, those decisions would
17 largely be Wheeling Power's without approval of this
18 application. So we want to, you know, be in a
19 position to be able to be involved in that decision
20 making.

21 BY COMMISSIONER HATTON:

22 **Q. That would be Wheeling Power's decision?**

23 A. At -- at that point, their customers would
24 be -- if this application would be -- to be denied.

25 **Q. If this application were denied.**

1 A. Yes. Then they're entitled to 100 percent of
2 the energy and capacity from the plant at that point.
3 So you know, their -- their decision making on what the
4 future of that plant would fairly be for -- for them to
5 make that decision.

6 **Q. Okay. Was the possibility of short term PPAs**
7 **from Wheeling discussed?**

8 A. No, not -- not specifically within the context
9 of this and -- and Company Witness Vaughn can walk you
10 through why that -- that's ultimately not the right
11 option for -- for our customers.

12 **Q. All right. I will let you get a drink before.**

13 A. Thank you. Sorry. I know that's loud.

14 **Q. It's okay. I won't wait until you get a drink**
15 **in your mouth and then try to ask you questions. Okay.**
16 **So part of the request here is for -- I think it was**
17 **\$20.1 million to basically reimburse the West Virginia**
18 **rate payers for upgrades that their PSC authorized that**
19 **Kentucky PSC did not. Is that number about right,**
20 **20.1?**

21 A. Yes, Your Honor.

22 **Q. Do you know if the West Virginia customers get**
23 **that money back or -- I know that's not your call, but**
24 **do you know?**

25 A. I don't know specifically. I'm not as

1 familiar -- familiar with the -- the West Virginia, the
2 rules, the Kentucky rules keep me quite busy on a day to
3 day usually.

4 **Q. I feel like if we checked our YouTube Views**
5 **from West Virginia today on this hearing, we'd get some.**

6 A. Pretty -- pretty high, I would say.

7 **Q. I don't even know if you can check where**
8 **people are watching from, but I imagine they're watching**
9 **this with interest and probably hoping that they're**
10 **going to get some of that money back?**

11 A. Yes, Your Honor. Again -- we -- we -- we
12 haven't had specific conversations, at least I haven't
13 been engaged with specific conversations around that
14 with Wheeling. At this point, my conversations with
15 them have just largely been around identifying what
16 costs their customers have ultimately paid. And then
17 you know, what we would need to do to ultimately
18 continue with our 50 percent interest in energy capacity
19 from Mitchell. So I've not been in specific
20 conversations around how they would handle --

21 **Q. Yeah.**

22 A. You know, any of that -- that amount for their
23 customers.

24 **Q. Well, unfortunately Kentucky Power customers**
25 **compete with Wheeling Power customers for who has the**

1 most poverty, that you need to deal with. And you have
2 to set -- we have to set rates. We have to charge rates
3 to those folks. Right now, Wheeling Power charges, just
4 from my internet search so not confidential, found it on
5 the internet, 17-and-a-half cents per kilowatt-hour.

6 And then they have a current rate case where
7 they're -- Wheeling Power is requesting a 14.12 percent
8 increase, from an internet surge, again. Kentucky
9 Power's current rates, as far as I can tell, are 15.33
10 cents a kilowatt-hour, or thereabouts.

11 A. Sounds about right.

12 Q. We just added a 6.37 percent surcharge for the
13 securitization. So that's in addition, that's not
14 included in the 15.33 cents per kilowatt-hour. This
15 case, if the settlement is approved, the rates in the
16 settlement would add another 1.28 percent to the bills.
17 So I think that's \$2.33 a month.

18 A. That's correct, Your Honor.

19 Q. And then there's also a rate case pending that
20 asks for another 14.9 percent increase. I understand
21 that I am probably oversimplifying this math. And you
22 tell me if I am -- how far off base I am. But if that
23 14.9 percent increase were granted, we would be
24 somewhere for Kentucky Power customers at 17.61 cents
25 per kilowatt hour. And I'm not going to make you do

1 math in your head. Do you know if that's about right?

2 A. I not -- off the top of my head.

3 I -- I -- I don't know.

4 Q. In addition to the 6.37. I mean, at that
5 point we would be higher than Wheeling in rates. We're
6 not right now. What -- where are we -- where's the
7 bright spot? Where are your customers going to find a
8 bright spot here? And after this rate increase that's
9 coming up -- request, there's also, we're told, a CPCN
10 After that. I understand you need capacity. I don't
11 think that's disputed at all. But where's the bright
12 spot? Show -- tell me. Tell your rate payers.

13 A. Yeah, absolutely. So I think again, we -- we
14 are obviously very aware of the challenges within our
15 service territory. And I think if you look back, even
16 back to our -- our 2020 rate case, the company has
17 oftentimes walked into those filings self-mitigating our
18 asks, right, in terms of, you know, what we decided not
19 to ultimately pursue, costs that we think are reasonably
20 incurred, but we are not seeking recovery of them or
21 we're delaying cost recovery of them. And so, I am
22 challenged every day by Company President Wiseman, and I
23 challenge my team every day, what are things that we can
24 do -- what are things that we can do to lower rate
25 impacts, think about things differently. You know, I've

1 really -- in the last year and a half, I've really
2 challenged our team to think creatively to identify cost
3 savings. The number one thing that we have right now is
4 getting new securitization legislation so that we can
5 positively impact bills and ultimately reduce the cost
6 of the new generation, right? Like, theoretically, the
7 -- the idea behind securitization, you know, pairing
8 with a new generation, right, securitization would
9 ultimately shrink the company. And then you grow the
10 company with the new generation, so you're about the
11 same size. So customers get an additional capacity
12 resource at, you know, similar costs. So we're really
13 focused on ways that we can ultimately provide positive
14 bill impacts. I think you've seen it in the -- I don't -
15 - I don't know if I can talk too much about our rate
16 case, but in our rate case proposal, we -- we're very
17 intentional in our ask. We didn't update depreciation
18 rates for Mitchell, which would've been an additional
19 \$11 million on our revenue requirement because we are
20 fighting right now for our customers at the legislature
21 to get new securitization legislation passed. So we're
22 holding that type of expense out there. We are -- you
23 know, the company is -- we -- we understand the
24 customers feel, you know, there's a struggle associated
25 with, you know, these billing impacts, but the company

1 is also in a position where it is experiencing those
2 same challenges by, you know, self-mitigating asks and
3 ultimately trying to identify ways to, you know, reduce
4 our overall bill impact. So to -- to the -- our
5 customers, I would just tell you, I -- I'm -- we're
6 doing everything we can to identify ways to save money
7 and make positive impacts on -- on your bills.
8 You -- we're obviously subject to various market
9 conditions, but we are trying to do things intentionally
10 and creatively to make positive impacts, so

11 **Q. Okay. So in the meantime, what's the total**
12 **amount in this case that's being requested?**

13 A. For recovery, it would be the approximately 77
14 million associated with the capital catch up and for the
15 expenses already incurred. And then the 57-ish million
16 that would transfer to Kentucky Power's books, which is
17 the going rate base on ELG equipment. And then the
18 company is also seeking prudence review of the 60.4
19 million associated with the asymmetrical pricing that
20 was required as a result of the 2021-0004 case because
21 of our interest terminating in 2028. Capital plan has
22 been allocated at a higher routable share to Wheeling in
23 those instances. So we would seek prudence review of
24 that, but the company is not currently seeking recovery
25 of those amounts.

1 Q. Okay. So the total?

2 A. A total of 138 million.

3 Q. That was the number I had in my head, but I
4 wasn't certain that I'd caught everything. So in the
5 meantime, while Kentucky Power struggles to come up with
6 a long term bright spot for your customers -- and I hope
7 you see sympathy on my face. I don't even know if I
8 should have -- like, at this point, I do have sympathy.
9 I understand that these are very challenging questions
10 for this company. In the meantime, while we look for a
11 better solution to be able to tell them, we're going to
12 spend, potentially here, 138 million more rate payer
13 dollars to invest in a 54-year-old coal plant that
14 doesn't burn Kentucky coal or employ Kentucky people or
15 pay Kentucky property tax. And that may well be the
16 least cost option, but tell me how to say that
17 differently. Tell me how to -- how I'm seeing that
18 incorrectly.

19 A. Yes. So Your Honor, I would just tell you
20 that we went out, and we tested the market to see if
21 there was an option for us to ultimately replace the
22 energy capacity of Mitchell for cheaper than what the
23 Mitchell plant can operate at, and -- and there wasn't
24 anything in the market to do so. So once we made that
25 decision, now we've got to find ways to provide overall

1 bill -- positive bill impacts associated with that
2 decision. And that's my task as director of regulatory
3 services is to continue to find ways to make positive
4 bill impacts for our customers, and I -- I am committed
5 to that.

6 **Q. Yeah.**

7 A. So I -- I understand -- I -- I -- I
8 understand -- you know, I've seen some public comments
9 associated -- on -- on a similar vein, and I would tell
10 you that, again, we are making the -- we're asking to
11 make the investments necessary to keep bills as low as
12 we possibly can. And that is what the Mitchell plant
13 allows us to do. Otherwise, we will be subject to, you
14 know, the conditions within the market, and it would be
15 very challenging for us. I --

16 **Q. Yeah.**

17 A. Again, I think we've evaluated and overturned
18 every stone that we can in terms of generation options,
19 like, you know, I walked through all the steps that
20 we've taken to try to figure out what -- what we needed
21 to do and what our generation portfolio would ultimately
22 look like. And every time, it just came back to
23 Mitchell is the right thing to do for customers. And I
24 am comfortable up here supporting this application
25 because I know it's the right thing to do for our

1 customers.

2 Q. Yeah. And we're all going to go to Pikeville
3 in a couple of days and --

4 A. Yes, ma'am.

5 A. -- get to see some of those customers. I
6 don't envy you or your job, and I -- I imagine you don't
7 envy mine either?

8 A. That's correct.

9 Q. We've all got tough decisions to make.

10 COMMISSIONER HATTON: All right. Anything
11 further from commissioners?

12 COMMISSIONER REGAN: I do, but I think I'll
13 have to ask it in a data request.

14 COMMISSIONER HATTON: Okay. All right.
15 Redirect?

16 MS. GLASS: No, Your Honor.

17 COMMISSIONER HATTON: Okay. So in that case,
18 no re-cross. Will Mr. Wolfram be the witness that
19 isn't excused? Is he your lead witness today?

20 MS. GLASS: He is our lead witness.

21 COMMISSIONER HATTON: All right. Sorry.
22 I am sorry. I'm not going to be able to excuse you.
23 I can tell you that you're welcome to step down from
24 the stand, though.

25 MR. WOLFRAM: Thank you, Your Honor.

1 COMMISSIONER HATTON: All right. And at this
2 point, let's take a quick break.

3 (A recess was taken.)

4 COMMISSIONER HATTON: All right. We are back
5 on the record in case number 2025-00175. And,
6 Counsel, you may call your next witness.

7 MR. GISH: Thank you, Your Honor. The company
8 calls Lerah Kahn.

9 COMMISSIONER HATTON: Ms. Kahn, would you raise
10 your right hand to be sworn? Do you swear or affirm
11 the testimony you're about to give is true and
12 correct under penalty of perjury?

13 THE WITNESS: I do.

14 COMMISSIONER HATTON: Thank you. Please be
15 seated. Tell us your full name and business
16 address.

17 THE WITNESS: My name is a Lerah Michelle Kahn.
18 My business address is 1645 Winchester Avenue,
19 Ashland, Kentucky 41101.

20 COMMISSIONER HATTON: Mr. Gish?

21 MR. GISH: Thank you, Your Honor.

22 DIRECT EXAMINATION

23 BY MR. GISH:

24 Q. Ms. Kahn, can you please state your employer
25 and your job title?

1 A. My employer is Kentucky Power Company, and my
2 job title is manager of regulatory services.

3 **Q. Thank you. And did you causally file in this**
4 **case direct testimony and responses to data requests?**

5 A. I did.

6 **Q. And if I were to ask you the same questions**
7 **that are in your direct testimony and in the data**
8 **requests to which you responded, would you give the same**
9 **answers?**

10 A. I would.

11 **Q. Thank you.**

12 MR. GISH: Madam Chairman, the witness is
13 available to cross examination.

14 COMMISSIONER HATTON: Thanks. Mr. West?

15 MR. WEST: No questions.

16 COMMISSIONER HATTON: Mr. Kurtz?

17 MR. KURTZ: No questions, Your Honor.

18 COMMISSIONER HATTON: All right. Sierra Club?

19 MR. BELLAMY: No questions, Your Honor.

20 COMMISSIONER HATTON: All right, then. Staff?

21 MR. BELLAMY: We do not have any questions for
22 this witness.

23 COMMISSIONER HATTON: You didn't have
24 questions, okay. Mr. Wood?

25 COMMISSIONER WOOD: I don't have any questions

1 either.

2 COMMISSIONER HATTON: Commissioner Regan?

3 COMMISSIONER REGAN: I don't.

4 COMMISSIONER HATTON: Well, I should have come
5 up with some questions. I thought I was going to
6 have quite a while. All right. You must have given
7 very good testimony.

8 THE WITNESS: Thank you.

9 COMMISSIONER HATTON: Thank you, ma'am. Any
10 reason This witness can't be excused?

11 MS. GLASS: No, Your Honor.

12 COMMISSIONER HATTON: I don't think we're going
13 to be here until midnight. Okay, ma'am, you're
14 excused. Thank you.

15 THE WITNESS: Thank you.

16 COMMISSIONER HATTON: All right. Call your
17 next witness, Ms. Glass.

18 MS. GLASS: Thank you. The Company calls
19 Joshua Snodgrass.

20 COMMISSIONER HATTON: Good morning, Mr.
21 Snodgrass, would you raise your right hand to be
22 sworn? Do you swear or affirm the testimony you're
23 about to give is true and correct under penalty of
24 perjury?

25 THE WITNESS: Yes, ma'am.

1 COMMISSIONER HATTON: Please be seated and tell
2 us your full name and business address.

3 THE WITNESS: All right. My name is Josh
4 Snodgrass. And I work at the Mitchell Plant, it's
5 at 899 Energy Road Moundsville, West Virginia,
6 26041.

7 COMMISSIONER HATTON: Got you. Counsel?

8 MS. GLASS: Thank you.

9 DIRECT EXAMINATION

10 BY MS. GLASS:

11 **Q. Mr. Snodgrass, can you please state the name**
12 **of your employer and your position?**

13 A. Yes, ma'am. It is Wheeling Power, and my
14 position is the Mitchell Plant manager.

15 **Q. Okay. Thank you. And did you cause to be**
16 **filed into the record of this case Responses to Data**
17 **Requests and Direct Testimony?**

18 A. I did.

19 **Q. Do you have any changes or corrections to any**
20 **of that information?**

21 A. I do not.

22 **Q. If I were to ask you those same questions**
23 **today, would your answers be the same?**

24 A. Yes, ma'am.

25 MS. GLASS: The witness is available for

1 cross-examination.

2 COMMISSIONER HATTON: Mr. West?

3 MR. WEST: No questions.

4 COMMISSIONER HATTON: Mr. Kurtz?

5 MR. KURTZ: Just a couple.

6 CROSS-EXAMINATION

7 BY MR. KURTZ:

8 Q. The Mitchell Units 1 and 2 were both built in
9 1971?

10 A. Yes, sir.

11 Q. Okay. Do you know that KU's Gen (phonetic)
12 Unit 1 was built in 1973 for commercial operation?

13 A. I'm sorry?

14 Q. Do you know if KU's Gen Unit Number 1 was --
15 went into commercial operation in 1973?

16 A. I'm not certain.

17 Q. What -- is it your understanding that around
18 the country -- let me ask AEP. Does it -- is AEP
19 extending the life of any of its regulated coal plants
20 besides Mitchell?

21 A. Oh. We have in the past. I mean, Big Sandy
22 is a great example. I used to work over there, and we
23 took Unit 1 and we converted it over to gas, which has
24 obviously extended its life cycle.

25 Q. If the Commission approves the CPCN to extend

1 Kentucky Power's, entitlement of energy and capacity
2 past 2028, would natural gas conversion be an option for
3 one or both Mitchell units?

4 A. It certainly would be.

5 Q. Okay. How much do you spend per year on
6 capital upgrades, normal -- like we would with a car or
7 a house? How much do you spend to keep the plant
8 running well?

9 A. I would assume that I would probably need to
10 go to the confidentiality to go over those types of
11 numbers.

12 Q. Just general? I mean, I don't want
13 confidential specifics.

14 A. I would say roughly 20 million, plus major
15 projects.

16 Q. And what would a major project be?
17 What -- not a dollar amount, what type of thing would a
18 major project be?

19 A. Such as a turbine or something larger that's
20 on a typical life cycle.

21 Q. Okay. Does Mitchell -- where does Mitchell
22 get its coal from?

23 A. To the best of my knowledge, the majority of
24 the coal comes from West Virginia now. The -- the
25 larger portion is the -- the high sulfur mine directly

1 across the street, and then the low sulfur comes in via
2 barge.

3 **Q. For the low sulfur coming in via barge, how**
4 **much out of the money is Kentucky coal?**

5 A. I can't state right off. I -- I would assume
6 that Mr. Vaughn could probably give you some better
7 analyses on that.

8 **Q. If Kentucky Power wanted to buy Kentucky Coal**
9 **for its half, could it do that?**

10 A. I'm sure that in going to the coal marketers,
11 absolutely. If there was coal available, I'm certain
12 that they could probably make that happen.

13 **Q. Are you involved at all in this DOE grant**
14 **application?**

15 A. Just at a high level. I know they
16 request -- they requested some information for the
17 application, so the site provided that.

18 **Q. How long of a drive is it from Moundsville,**
19 **West Virginia, to Kentucky?**

20 A. Well, it's approximately four-and-a-half
21 hours.

22 **Q. Okay. So that's why there's no Kentucky**
23 **employees there?**

24 A. Well, I -- I guess I would be interested to
25 know what you're defining as a "Kentucky employee." I

1 used to be a resident over here as well.

2 Q. No. A Kentucky citizen, somebody who pays,
3 you know, state income tax, that type of thing.

4 A. Oh. Yeah. That would be too large of a
5 commute from that standpoint.

6 Q. Okay. Thank you, sir.

7 A. You're welcome.

8 COMMISSIONER HATTON: All right. Sierra Club?

9 MR. SHOAFF: No questions, Your Honor.

10 COMMISSIONER HATTON: Staff?

11 MR. BELLAMY: Yes.

12 EXAMINATION

13 BY MR. BELLAMY:

14 Q. Could you look at, I guess, Figure JDS3 of
15 your direct testimony?

16 A. Okay.

17 Q. Oh. Yes, I need to pull it up myself. There
18 we go. Can you just briefly describe -- I know it's in
19 your testimony. Just briefly describe what's
20 represented in this table for --

21 A. Sure. So these are the larger scale capital
22 projects that we've been conducting throughout 2025.
23 Some examples of, like, the clinker grinder upgrade,
24 which ties into the CCR questions that you asked --
25 earlier. That's some advancements there. Line

1 conversion, winterization, which is typical projects to
2 prep for the cold weather, diesel fire pump, safety
3 equipment, air heaters, cooling tire repairs. Just a
4 wide variety of capital scope.

5 Q. Is this -- does this -- because I see the
6 second one from the bottom of the larger charts says,
7 "All Other Capital Investments"?

8 A. Uh-huh.

9 Q. So does this chart -- it has the larger
10 projects kind of set off, but then it has the other
11 capital projects kind of grouped together. Would this
12 represent all capital projects that were allocated on an
13 unequal basis since the 2021 decision in Kentucky to
14 disallow recovery of the ELG project?

15 A. Yes, sir. That is accurate.

16 Q. Okay. And its cost -- there's the actuals
17 through April of 2025, and then the forecasted through
18 December of 2025, correct?

19 A. Correct.

20 Q. I'm looking -- it's about four from the
21 bottom. There's cooling tower reinforcement and cooling
22 tower components, and I won't try to add them up here.
23 Other than -- as far as the costs that hadn't been
24 incurred, at least as of April of 2025, it looks to be
25 about 16.8 -- or about 15.8 million. Does that look

1 about right to you?

2 A. So for the amount that has not been incurred?

3 Q. As of April of 2025?

4 A. Yes. That -- that represents the amount that
5 would come for the remainder of the year.

6 Q. And I understand that work on the cooling
7 tower ceased when it was determined that perhaps
8 additional work or some other work would need to be
9 necessary; is that correct?

10 A. That's correct. So in July, we -- the
11 project's team halted the scope of work for the cement
12 team repairs. However, there were sections of rebar or
13 safety concerns from a structural standpoint that
14 continued on until September, to get the condition of
15 the foundation of the tower back in a good, stable
16 position.

17 Q. What -- are any a portion of that 15 --
18 roughly 15.8 million -- what portion of that hasn't been
19 spent to date, if you know?

20 A. I'm going to say probably close to
21 7-and-a-half of however -- just off the cuff.

22 Q. Would you be able to provide that as a
23 post-hearing data request, if I requested that?

24 A. Yes, sir.

25 Q. Okay. And I believe the -- at -- the

1 projected cost of the kind of larger cooling tower
2 options or -- those were provided confidentially, so I
3 don't want to go into specific costs on those, but to
4 your knowledge, would -- if Kentucky Power moved forward
5 with one of those options, would it still be necessary
6 to incur the additional roughly 7 million of this amount
7 that hasn't been spent? Or would that money not need to
8 be spent?

9 A. Yeah. I believe that there may be some of it
10 for, like, site tear-down and stuff like that when
11 you're wrapping up the job. But in general, the scope
12 of work has completed at this point. We would have to
13 continue with our drone inspections and things like
14 that. So for now -- you know, now until the time that
15 you do some type of conversion or pick which strategy
16 you want to go with, you would have to monitor the
17 cracks and make sure that you don't need anything
18 further. But as of right now, that's correct.

19 Q. Okay. And monitoring the cracks,
20 is that -- would that be capitalized or would that be
21 considered operational maintenance?

22 A. No. We would just do that under O&M.
23 And then if you had to take appropriate action, you
24 would determine what the scope is at that point.

25 Q. All right. But as of now, that money wouldn't

1 be spent? If something comes up, you might need to
2 spend that money?

3 A. That's correct.

4 Q. Okay. This doesn't include, I guess, capital
5 -- the -- let me rephrase that. I think when you were
6 talking to other counsel, you mentioned kind of the
7 ongoing annual capital cost of, you know, just roughly
8 20 million?

9 A. Uh-huh.

10 Q. Would that be something you would incur in
11 most years, or is it something you would incur 60
12 million every three years, or how does that work?

13 A. Well, that's more of an annual budget that you
14 have at the start of each year to do capital projects of
15 lower stature. That's going to fluctuate some,
16 depending on what your scope's targeted in your long-
17 range plan for that year, but you're always going to
18 have something similar.

19 Q. And would you have any idea, assuming that the
20 Commission in Kentucky didn't approve this ELG project,
21 of that 20 million, say in, like, 2026, what portion of
22 that would be, you know, allocated to Kentucky v. West
23 Virginia? Would you have any knowledge regarding that?

24 A. Would you repeat that one more time?

25 Q. Yeah. I guess just to set it up, this chart

1 obviously shows an unequal distribution of the capital
2 cost, with certain amounts going to West Virginia and
3 certain amounts going to Kentucky. If there were 20
4 million, say, in 2026 -- I know that's an estimate, what
5 -- if the Commission, you know -- if the allocation
6 wasn't changed and we continue the unequal allocation,
7 what portion of those capital costs in 2026 would go to
8 Kentucky Power customers versus West Virginia customers?

9 A. If we did not go back to 50/50, I believe it's
10 roughly 12 percent, if I recall. That's off the top of
11 my head.

12 Q. With respect to the -- and I don't believe I'm
13 asking anything confidential, so if at any time
14 something seems confidential, please chime in. But if -
15 - I know there were several options that were proposed
16 for the cooling tower. In order for Unit 2 to continue
17 operating from the period of 2026 -- well, let me
18 rephrase. If nothing is done to the cooling tower, it's
19 just as is, we leave it, from 2026 through 2028, could
20 Unit 2 continue to operate? Or would not doing
21 something, you know, one of the larger projects to, you
22 know, do a more substantial repair on the cooling tower,
23 would that prevent us from operating Unit 2 at some
24 point between 2026 and 2028?

25 A. I think during that duration that we would

1 probably be fine. The majority of the repairs that
2 we've implemented at this point would be assessed by
3 engineering through cycles, just to make sure that we're
4 not getting additional cracking or nothing has flaw,
5 from a repair standpoint. But much beyond that, I would
6 -- begin to question, you know, the structural
7 integrity, and you'd have to do more assessments again.

8 **Q. And how often do you have to assess it, you**
9 **know, to -- I guess, could you just kind of explain? Is**
10 **it confidential? What's going on with the cooling**
11 **tower, I guess? If maybe you could explain it in kind**
12 **of layman's terms?**

13 A. Sure. So in general, we've engaged our
14 engineering group to do an assessment and provide an
15 RBTO, which is a risk-based -- task -- option.
16 Basically, what that is -- is they'll provide to you
17 multiple circumstances that you could proceed with.
18 So perhaps one of them is taking down a section of
19 the tower and degrading the unit. Perhaps is
20 wanting -- running as is for whatever period of time
21 they -- they state that the equipment can sustain that.
22 It could be transitioning to a new type of technology,
23 which you guys were talking about earlier, which is a
24 part of that grant process, trying to get some funds
25 potentially to go over to a new mechanical draft cooling

1 tire. That -- that's what they provide to us, from a
2 plant site's perspective, the engineering options of
3 what we could choose to do.

4 **Q. And in doing their assessment, I know you**
5 **said, you know, perhaps it could last to 2028. Have**
6 **they indicated specifically when they think something**
7 **needs to be done by?**

8 A. Not to my knowledge, no. I mean, they stated
9 that the repairs that we've done recently has it in a
10 stable position, but how -- how long would that last or
11 will things deteriorate, they -- they didn't provide any
12 of that information.

13 **Q. And how often are you inspecting -- or how**
14 **often would you inspect the cooling tower, kind of on a**
15 **going-forward basis -- until a final -- or until a final**
16 **determination's made, regarding, you know, how to**
17 **proceed, how often would you inspect it?**

18 A. So I know that major projects and engineering
19 team does that. I'm not sure the exact frequency, but
20 they're still utilizing the drone technology to go up
21 and check things out, so I can certainly follow up and
22 get you -- specifics. I think it's a -- it's at least
23 quarterly from -- from the best of my knowledge.

24 **Q. Okay. I might do a post-hearing data request**
25 **on that, I guess.**

1 A. Yep.

2 Q. And do they have any criteria -- maybe this is
3 something for a post-hearing data request -- any
4 criteria for when they would determine that it's
5 emergent? You know, there's an emergency, we got to do
6 something immediately?

7 A. Are you referencing from a -- repair
8 standpoint?

9 Q. From a repair or --

10 A. I'm -- I'm sure that they would target some
11 type of length of the crack or depth of the crack or
12 anything that was visibly knowledgeable. At that point
13 is when they would determine whether or not an -- an
14 immediate action was required.

15 Q. And if something that -- like that was found
16 to where an emergent repair needed to be completed,
17 would you expect that Unit 2 would continue to be able
18 to operate during that period, or would it need to be
19 taken out of service?

20 A. To the best of my knowledge, I would think
21 that it would probably remain operational throughout
22 this entire period. When they did the repairs
23 previously, at times it was running and at times it was
24 not. Some of the cement-type material that's utilized
25 does have curing needs, so temperatures can relate to

1 that, but I don't see why we couldn't run it.

2 Q. Okay. There was a question.

3 If Mitchell -- if the Mitchell plant was converted to
4 100 percent gas, would it be necessary to complete work
5 on the cooling tower?

6 A. Yes. Regardless of whether we were gas or
7 coal, the cooling tower would need attention.

8 Q. Okay. And same thing with the ZLD.

9 There was -- I think Mr. Wolfram mentioned that maybe
10 there'd be some compliance requirements, but they might
11 not be as significant if it was 100 percent gas. Could
12 you kind of explain that? What would be required under
13 the ZLD -- I guess, 2024 ELG rule if it were 100 percent
14 gas versus coal?

15 A. So I think -- I think the two are going to be
16 very similar, regardless of what it is. I mean, the
17 zero liquid discharge is ultimately stopping that from
18 going to outer sources outside of the facility. So
19 regardless of what combustion source you were utilizing,
20 you would still have to follow that protocol.

21 Q. Could you just generally explain what's
22 required by -- would you understand if I refer to the
23 2024 ELG rule and then the 2020 ELG rule?

24 A. I do.

25 Q. What, to your knowledge, is -- was generally

1 **required by the 2020 rule and then is required by the**
2 **2024 ELG rule?**

3 A. Okay. So at a -- at a high level, the initial
4 rule was where we worked on the CCR and ELG upgrades.
5 The CCR is more along the lines of what we did at the
6 bottom of the boiler. You have to go from a wet bottom
7 ash to a dry bottom ash handling system. So we have a
8 submerged conveyor that takes out the product, allows
9 the water to go back into the boiler system, and then
10 takes the byproduct out so that it can be handled and
11 disposed of accordingly. And then from an ELG
12 perspective, we had to reline our ponds. So you had to
13 clean out your ponds and do a relining, and then you
14 have to have a method for processing your water through
15 a wastewater treatment system, which is ultimately what
16 ELG provided by having a bioreactor.

17
18 **Q. And how did that differ? The requirements of**
19 **the 2021 rule, how does that differ from the 2024?**

20 A. So the 2024 rule, the -- the largest
21 difference that I am aware of is that ZLD that you
22 referenced a moment ago, and that's just where you can't
23 discharge any water at all. You have to keep it within
24 a contained cycle.

25 **Q. Okay. So you're still treating it, but then**

1 you have to impound the water?

2 A. That -- that's correct. You basically just
3 keep it within your system.

4 Q. Including, like, rainwater?

5 A. Any of it.

6 Q. Okay. Just out of curiosity, how does that
7 work? Wouldn't that accrue over time and that, you
8 know, you eventually have a significant amount of water?

9 A. Well, some of the -- some of the water that
10 gets processed through the facility is going to be
11 utilized through steam or disposed of, so you're going
12 to get rid of some of it that way. Outside of that,
13 I'm -- I'm not certain of the design potentials at this
14 point, so I'm not sure how they would handle an over
15 quantity, if that's what you're asking.

16 Q. How does the -- it -- would compliance
17 with -- scratch that, actually. Could you explain to
18 me, like, how decisions with respect to capital projects
19 at Mitchell plant are decided from your perspective?

20 A. Okay. So --

21 Q. And perhaps -- I'll cut you off. Sorry to cut
22 you off.

23 A. No problem.

24 Q. But if it's kind of different, I imagine it
25 might be different for, like, you know, you said your

1 \$20 million budget versus, you know, larger projects.
2 Can you kind of explain that difference and
3 how it -- how the decisions are made?

4 A. Sure. So the \$20 million budget that we
5 referenced, we call that PPB money, which is plant
6 production blankets. That's your smaller-type capital
7 work orders that you're going to have to do on a
8 frequent basis of, like, motor change out, pump change
9 out, any common equipment. That is done at the site
10 level between myself and my maintenance superintendent,
11 along with the suggestions of what the operations
12 superintendent requires to run the facility. So we do
13 that mostly internal. We budget that out for a range
14 plan on a ten-year cycle. And then outside of that, any
15 project that's, like, \$1 million or higher, you know,
16 we have to work up the process for approvals through our
17 presidents, which would be for Wheeling Power and
18 Kentucky. And you worked through Aaron Walker and Cindy
19 Wiseman, the two that we worked with on that.

20 Q. Okay. So anything over a million, you have to
21 present them what you want to do, and then it goes
22 through kind of the upper-level process that was
23 described earlier, I guess?

24 A. Yeah. You -- you give them a high-level
25 business case of why you have the need or -- or what's

1 causing the equipment change out, and then you go from
2 there.

3 Q. And you say you do a capital budget every ten
4 years, or you do it every year, but it's projected out
5 for ten years?

6 A. That's correct.

7 Q. Okay. I would just probably ask that the post
8 hearing data request for the most recent capital budget.
9 What about dispatch decisions? Do Wheeling Power and
10 Kentucky Power directly control dispatch decisions? And
11 I guess what I mean, I know you're in PJM, so obviously
12 they're controlling dispatches. But as far as who's
13 deciding when to bid in into PJM and when to offer the
14 unit, who is making those decisions?

15 A. So we have a prod ops team and the commercial
16 ops team that Mr. Wolfram referenced earlier, that
17 ultimately their group provides the information to our
18 unit operator stating what loading they'd like to
19 be -- to have the unit at -- at any particular time.
20 And then of course we get data and information in trying
21 to give us some bearings about where we'll be for the
22 following day, but I'm sure that Mr. Vaughn can
23 elaborate much further on the specifics of how we get to
24 that.

25 Q. So you're not necessarily involved in when the

1 unit's dispatched. You're operating the unit, and you
2 dispatch it when that team decides that it's
3 appropriate?

4 A. That's correct. When we get communication
5 stating that we want to raise or lower -- or lower or
6 raise loading, our unit officer would, you know, respond
7 accordingly. But outside of that, we don't have any say
8 in that.

9 Q. How does Kentucky or how does the Mitchell
10 plant procure coal? How do you decide how much coal to
11 have on site or how much coal you're going to get in any
12 given year?

13 A. So in general, we have a fuels procurement
14 team that we will go through, and they'll assess the
15 quantity of coal that they anticipate us requiring for
16 that 12-month period of time based on what the markets
17 are looking like. And then they'll set up the
18 appropriate coal contracts to make sure that we have the
19 tonnage on the ground.

20 Q. Do you play any role in that?

21 A. Other than seeing the contracts and knowing
22 what the price per ton is, knowing which vendor's going
23 to be providing it. We have to watch the specs pretty
24 closely because, depending on the type of coal, that can
25 give you combustion issues inside your boiler or cause

1 slagging or something like that. But outside of that,
2 they're the ones that formulate the agreements for -- on
3 our behalf.

4 **Q. I think I'm almost finished.**

5 MR. BELLAMY: I think that's all I have. Thank
6 you so much.

7 THE WITNESS: Oh, you're welcome.

8 COMMISSIONER HATTON: Commissioner Wood?

9 EXAMINATION

10 BY COMMISSIONER WOOD:

11 **Q. Mr. Snodgrass, I wanted to ask a couple of**
12 **questions about the CCR rule and ELG rules. Could you**
13 **generally explain what those rules are and whether or**
14 **not there's changes to them and what that means for your**
15 **all's business of making electricity?**

16 A. So in general, the CCR and ELG rules were the
17 federal requirements that we had to respond to -- to
18 make sure that we had the appropriate equipment to treat
19 the water accordingly. And like we talked about with
20 the ash handling earlier, there was a method to take the
21 ash from a wet bottom ash to a dry bottom ash, so we
22 install that conveying system that takes the product out
23 and allows the water to run off, and then we can
24 landfill accordingly. And then going forward, like we
25 spoke about earlier with the ZLD, that's going to be

1 more stringent requirements where we can't discharge any
2 water off of our site.

3 **Q. And that is what's -- is that a change that's**
4 **being made, or was it this just the last year to**
5 **implement these rules? Or how is it that these rules**
6 **are coming into play now?**

7 A. So based on what you guys were speaking about
8 earlier, this is -- this would be what I would call
9 phase 2 of the ELG requirements that the government is
10 currently deciding how they want to proceed or do they
11 want to implement those rules. So currently we would be
12 waiting to see what that ruling stands out. Do we have
13 to make upgrades, or are they not going to allow for
14 that?

15 **Q. So there is a possibility that these rules**
16 **will be eased or changed or somehow modified going**
17 **forward? Or --**

18 A. From the government? Yes, sir.

19 **Q. And is there any word when that --**

20 A. I do not know.

21 **Q. Very well.**

22 COMMISSIONER WOOD: That's all I have.

23 COMMISSIONER HATTON: Commissioner Regan?

24 EXAMINATION

25 BY COMMISSIONER HATTON:

1 Q. Mr. Snodgrass, I don't want specific numbers
2 in these questions. But are you involved in figuring
3 out projections for what your O&M costs are at your
4 plant?

5 A. Can you say that one more time?

6 Q. Are you involved in figuring out what your O&M
7 costs are for your plant --

8 A. Yes, ma'am.

9 Q. -- and projecting those? Okay. Have they
10 been rising steadily?

11 A. No. I mean, we had an increase when we had to
12 install some new equipment for the ELG that first passed
13 through. But in general, it's been pretty consistent.

14 Q. So inflation hasn't been a problem?

15 A. Well, I mean, you're always going to see some
16 inflation in -- in regard to delivery times have gone up
17 a little bit, so freight charges can increase some, and
18 just pricing in general. The responses for other
19 companies have been a bit slower, and that drops up cost
20 a little bit, but it wouldn't be anything that I would
21 call out of the ordinary.

22 Q. Okay. The -- in this case, the -- let's see.
23 The forecast numbers for the first year, is that based
24 on, are you estimating a slight increase from this year,
25 or how did you come to, like, next year's O&M numbers?

1 A. Are you specifically talking about the entire
2 budget in general, or what are you -- what are you
3 referencing?

4 Q. Just the operation and maintenance budget.

5 Yeah. Entire operations and maintenance budget.

6 A. So in -- in general, your -- your O&M budget's
7 going to be based on the amount of time that you think
8 you're going to run. Obviously the more you run, the
9 more wear and tear that you put on the equipment, the
10 more that you're going to need to invest back into it.
11 So that's the basic concept that we apply when we're
12 trying to determine whether or not it needs an increase
13 going into the coming year.

14 Q. Okay. But it's a forecast number at this
15 point for next year?

16 A. Correct.

17 Q. And it appeared to remain steady, that
18 budgeted amount for O&M, over the next ten years.
19 Am I reading it incorrectly?

20 A. In general, it's pretty consistent. I mean,
21 you'll have some inflation costs from certain
22 categories, but for the most part, it -- it doesn't take
23 too large of a step change. No.

24 Q. Okay. I shouldn't feel like they're
25 inaccurate or be alarmed that they don't seem to be

1 **going up over the next ten years?**

2 A. No. I mean, the -- the only thing that me
3 personally is any time you get new equipment, it takes a
4 little while to assess how that new equipment's
5 performing. And then you try to identify what you think
6 the useful life is for the new equipment that you've
7 installed, and that can of course change your budgeting
8 cycle. That would really be the only unknown at this
9 point.

10 **Q. Got it. Your current contract -- coal**
11 **contracts, if you know --**

12 A. Uh-huh?

13 **Q. Are they -- are you currently in several**
14 **long-term contracts?**

15 A. It -- it's dispersed out amongst both.
16 We have some long-term and some short.

17 **Q. Okay. So some of the short ones could be**
18 **coming up for renegotiations then?**

19 A. That's correct.

20 **Q. Got you. Okay. And I don't want details.**
21 **I didn't want to have to go into confidential.**

22 COMMISSIONER HATTON: Anything further from the
23 commissioners?

24 COMMISSIONER REGAN: No.

25 COMMISSIONER HATTON: Okay. Redirect?

1 MS. GLASS: I have just one question.

2 COMMISSIONER HATTON: Sure.

3 REDIRECT EXAMINATION

4 BY MS. GLASS:

5 Q. Mr. Snodgrass, earlier, Mr. Bellamy asked you,
6 and I'm going to paraphrase because I don't remember
7 exactly how he asked it, but essentially, would Unit 2
8 continue to operate if Kentucky Power and Wheeling Power
9 identified that we needed to do some kind of emergent
10 fix or immediate fix on the cooling tower. And I believe
11 your answer was something like, I believe so. Do you
12 remember that exchange?

13 A. I do.

14 Q. Okay. Would you also agree that, if that, you
15 know, an emergent or an immediate fix were needed,
16 whether Unit 2 could operate may also be dependent upon
17 that situation?

18 A. It's based on the severity of what you find.
19 That's why I think at the time I referenced, like,
20 perhaps the size of the crack or whatever you've
21 identified would determine whether or not you need to
22 come out to take actions, or can you do so with the unit
23 in service.

24 MS. GLASS: Okay. Thank you. That's all I
25 have.

1 COMMISSIONER HATTON: Any recross?

2 MR. BELLAMY: No. Thank you.

3 COMMISSIONER HATTON: All right. Any reason
4 this witness can't be excused? Thank you,
5 Mr. Snodgrass. You're excused.

6 MR. SNODGRASS: Thank you.

7 COMMISSIONER HATTON: All right. We have ten
8 minutes until 12:00. I had said earlier that we
9 could just do a half-hour for lunch, but I think
10 we're moving along pretty good clip. We have three
11 more witnesses. I think maybe we could just go ahead
12 and break and do an hour for lunch, come back at ten
13 until 1:00, and then we'll get your final witness
14 and the intervener's witnesses. All right. See you
15 all at ten to 1:00.

16 (A recess was taken.)

17 COMMISSIONER HATTON: Good afternoon. We are
18 back on the record in case number 2025-00175, and
19 Applicant, call your next witness when you're ready.

20 MR. GISH: Yes, ma'am. The company calls Alex
21 Vaughn.

22 COMMISSIONER HATTON: Good afternoon,
23 Mr. Vaughn, would you raise your right hand to be
24 sworn? Do you swear or affirm the testimony you're
25 about to give is true and correct under penalty of

1 perjury?

2 MR. VAUGHN: I do.

3 COMMISSIONER HATTON: Thank you. Please be
4 seated. Tell us your full name and business address
5 please.

6 MR. VAUGHN: My full name is Alex Ethan Vaughn,
7 and my business address is 1 Riverside Plaza,
8 Columbus, Ohio.

9 COMMISSIONER HATTON: Okay. Counsel.

10 MR. GISH: Thank you, Your Honor.

11 DIRECT EXAMINATION

12 BY MR. GISH:

13 Q. Mr. Vaughn, can you please state your employer
14 and your job title for the record?

15 A. I'm employed by American Electric Power
16 Service Corporation as the managing director of pricing
17 generation and fuel strategy.

18 Q. And Mr. Vaughn, did you have filed in this
19 testimony in this case direct testimony, supplemental
20 testimony, rebuttal testimony, and responses to data
21 requests?

22 A. Yes, I did.

23 Q. Did you have any corrections to those -- the
24 testimony or responses to data requests?

25 A. Just -- yes. Just my supplemental testimony.

1 At Page 3 on Line 19, the 800 megawatts should say 400
2 megawatts, and the 2026 at the end of that sentence
3 should say 2027. That's all.

4 Q. Thank you. And if I were to ask -- with those
5 corrections, if I were to ask you the same questions
6 that are in your direct testimony or supplemental
7 testimony, your rebuttal testimony, and the discovery
8 request to which you provided responses, would you give
9 the same responses?

10 A. Yes, sir.

11 Q. I have a couple questions. I know your name.
12 You were here earlier this morning, correct?

13 A. Yes.

14 Q. And your name was spoken freely by many other
15 witnesses?

16 COMMISSIONER HATTON: Taken in vain.

17 THE WITNESS: What?

18 COMMISSIONER HATTON: Taken in vain.

19 BY MR. GISH:

20 Q. I don't take it in vain, but it was used
21 repeatedly, we'll put it that way, by other witnesses?

22 A. Yes, sir.

23 Q. Okay. Do you remember when Mr. Bellamy was
24 asking, I believe it was Mr. Wolfram, about the Mitchell
25 operating agreement.

1 A. Yes.

2 Q. And do you remember questions about the
3 uneconomic dispatch of the Mitchell unit directed by
4 Wheeling Power?

5 A. Yes.

6 Q. Okay. And are you aware if the Mitchell
7 operating agreement addresses situations where one of
8 the parties were to require the unit to be dispatched
9 uneconomically?

10 A. Yeah. That's my understanding is that the
11 agreement already allows for parties to have -- have the
12 unit dispatched in different ways. So in this example,
13 if one of the parties, one of the unit -- the -- unit,
14 the plant, the plant dispatched let's say uneconomically
15 or to some predetermined level, then that could already
16 be accounted for in the agreement so that the other
17 party to the agreement, the other off-taker, didn't have
18 to participate in those costs. So all of those, we'll
19 call in this example, uneconomic costs could be
20 contained to one of the participants and wouldn't affect
21 in this example Kentucky Power.

22 Q. And is your understanding that the -- that
23 allocation of the -- what you -- what we refer to here
24 in this example as an uneconomic cost, that allocation
25 would occur at the interim company settlement process

1 and would not need to be addressed by the commission? In
2 other words, the commission wouldn't have the
3 requirement to go through and figure out what was
4 uneconomic other than what they normally do, they would
5 -- that would be taken care of before the cost even came
6 to the commissioner and effect Kentucky Power customers;
7 is that correct?

8 A. That's right. This cost wouldn't be billed to
9 Kentucky Power in this example.

10 Q. Okay. And then if you were here earlier this
11 morning, there were some questions from Commissioner
12 Wood about the -- the various environmental rules that
13 are in place and that there are -- and it is very
14 confusing, the status of certain new environmental
15 regulations. The 2020 ELG rules, the ones that led to
16 the ELG project that has been constructed at Mitchell,
17 and the bioreactors that Mr. Snodgrass discussed
18 earlier, those -- that rule is not subject to any review
19 by EPA or potential change by EPA; is that correct?

20 A. Not to my knowledge, no. The -- the ELG
21 standard that we're discussing in this case for these
22 costs in this application, those rules are not in
23 review, those rules are in place. The company has
24 complied. Sorry. Wheeling -- Wheeling Power has
25 complied with those rules, and that's how the plant's

1 able to operate to 2028, having -- having complied with
2 that 2020 or ELG one. The -- the rules that are being
3 considered to review, it was a second round of ELG rules
4 or the -- the 2024 ELG or ZLD, whatever you'd like to
5 call it, and then the new MATS standard and the
6 greenhouse gas regulations, those are the ones that are
7 currently under review.

8 **Q. And then finally, there were some discussion**
9 **from Mr. Wolfram earlier today about the PJM 2028, '29**
10 **planning year. Can you describe a little bit about the**
11 **company's -- the timeline for the company to make**
12 **decisions about the 2028, 2029 PJM planning year?**

13 A. Yes. Yeah. So as Mr. Wolfram discussed, as
14 he alluded to, capacity planning is done a number of
15 years in the future, and so as we -- as we sit here
16 today, we're preparing to run -- submit -- submit our
17 plan for meeting our capacity obligations and have the
18 auction run in December of this year for the '27, '28
19 delivery year. So that ends on May 31st of 2028.
20 And then immediately after the first of the year we
21 begin -- we begin putting together our compliance with
22 and our submission to PJM for the '28, '29 delivery
23 year. And that auction is going to occur I believe May.
24 Yeah, May of 2026. And so, generally speaking,
25 timelines often differ, but we have to have our plans in

1 roughly three months ahead of the auction deadline. So
2 that -- that's -- you know, it seems like it's a long
3 way out, but really these are decisions we have to be
4 making pretty -- pretty shortly here for these future
5 delivery years because that's -- that's how the -- the
6 RTO functions, how the company functions from a capacity
7 planning standpoint.

8 **Q. Well, thank you, Mr. Vaughn.**

9 MR. GISH: With that, Your Honor, I turn --
10 Mr. Vaughn is available for cross examination.

11 COMMISSIONER HATTON: All right. And for the
12 Attorney General?

13 MR. WEST: No questions

14 COMMISSIONER HATTON: For KIUC.

15 MR. KURTZ: I do, Your Honor.

16 CROSS-EXAMINATION

17 BY MR. KURTZ:

18 **Q. Good afternoon, Mr. Vaughn.**

19 A. Good afternoon.

20 **Q. The amount that -- the -- the dollar amount**
21 **you're asking for approval is 138 million?**

22 A. So just to -- just to clarify, yes, the entire
23 catch-up payment is the \$138 million. We're asking for
24 prudence on all of that, but the dollars we're asking
25 the -- Kentucky Power is asking for recovery today are

1 just the environmental component of that in this area.

2 Q. Okay.

3 A. It's a lesser amount of the total, right?
4 Because you have -- you have the ELG plant, which is the
5 environmental piece, and then you have the
6 disproportionate capital catch-up.

7 Q. Okay. But ultimately, you would recover 138
8 million?

9 A. Yes. \$138 million would go into rates.

10 Q. Okay. So -- and if we just look at the 2029
11 to 2031 period, that would be about \$46 million per
12 year? Just divide 138 by three.

13 A. Well, just -- just to be clear, that's --
14 that's primarily capital, and so that's going to go into
15 rate base, all right? Not just rates. So it's going to
16 go into rate base and it's going to be depreciated
17 through the 2040 period.

18 Q. Right. Okay. The name plate of Mitchell 1
19 and 2, 50 percent is 780 megawatts?

20 A. Sounds about right. Yeah.

21 Q. Okay. But the UCAP or the amount you get
22 capacity credit for in PJM is 606 million --

23 A. Yes.

24 Q. Or 606 megawatts?

25 A. With that correction, yes. 606 Megawatts

1 would be, roughly our 50 percent share.

2 Q. Okay. Is it -- is this a fair metric to look
3 at? What's the most recent known PJM auction clearing
4 price is for next year is \$330 a megawatt day?

5 A. Roughly, yes.

6 Q. Would it be a fair metric to say 330 times the
7 UCAP, 606 megawatts, times 365 to get a, sort of, fair
8 market value of 72.9 million for that one-year ownership
9 of Mitchell?

10 A. That -- that would be about the -- that would
11 be the avoided expense, if you had to go replace it.
12 I think it's a fair estimate of that, yeah.

13 Q. Okay. So --

14 A. For the capacity portion, right? That product
15 that comes from the plan, yes.

16 Q. So two years of 72.9 million would pay for the
17 138 million at issue here?

18 A. Yes, sir.

19 Q. Okay. And with ownership of Mitchell, you get
20 the energy at cost?

21 A. That -- that's right. The -- if you're just
22 buying UCAP you have no call on energy, you pay for
23 energy at the marginal cost in the RTO, versus, as you
24 mentioned, getting -- getting energy at cost from
25 Mitchell.

1 **Q. Okay. So is that a fair -- is that another**
2 **fair metric to just, sort of, judge the reasonableness**
3 **of this transaction?**

4 A. I think that's a fair way to put it -- put it
5 in perspective that there's -- there's a lot of
6 potential cost out there, but short and long-term to
7 replace the capacity from the conventional unit
8 with -- capacity and energy, sorry.

9 **Q. Okay. If Kentucky Power does not satisfy its**
10 **PJM FRR capacity obligation, what's the penalty?**

11 A. Oh, gosh. Well, generally speaking,
12 there's -- there's deficiency, so there -- there's two
13 different penalties out there if you have a insufficient
14 FRR plan. I -- I can't remember their exact names, but
15 there's -- there's one where, let's say, intra-delivery
16 year, you can't deliver from some asset and you have,
17 like, a daily deficiency charge, so there's a
18 separate -- separate charge if you file a plan that is
19 deemed to be -- essentially, if you select FRR and you
20 submit a non-compliant plan, there's also -- there's
21 also a penalty there. It's -- I honestly can't remember
22 the dollar per megawatt day penalty price that -- it's
23 changed recently with the tariff changes in PJM, but
24 it's -- it's -- it's no small amount.

25 **Q. So non-compliance is not an option?**

1 A. Non-compliance is not an option, no.
2 We -- we -- we -- we will find a way to comply within
3 our FRR plan or some -- some other way.

4 **Q. Okay. When the commission turned down the ELG**
5 **proposal in 2021, what has changed since 2021?**

6 A. Yeah, I think -- I think just the general
7 macro economy is different, especially when you're
8 looking at it from an energy market's perspective.
9 Demand is a -- a lot greater. Current plan
10 demand -- current demand and near-term increases in
11 demand in -- in the market is much greater than it was
12 in 2021. If you remember back in 2021, we were coming
13 out of COVID, general economic depression, energy prices
14 driven by very low gas -- natural gas prices. You know,
15 energy was -- was very -- very cheap on the market in
16 2020 and into the first half of 2021, prior to the
17 economy and commodities heating up late in 2021. Also,
18 you didn't have the load growth, so like there's -- you
19 have that demand increase, but you also have a
20 constraint in future supply that we're seeing right now
21 back to those proposed environmental regulations that
22 we've talked about. So when you, like, couple those two
23 things, there's a real -- real constraint in -- in the
24 markets, which are driving higher prices now.

25 **Q. What about the capital cost of new generation?**

1 A. It's -- it -- it has gotten higher
2 since -- since 2021, and it's driven by those -- those
3 same -- those same economic drivers I just discussed,
4 right? So supply and demand. So whether it's for an
5 existing asset or for new assets costs are going up.

6 **Q. The settlement agreement on Page 7 deals with**
7 **securitization legislation, "Parties will use their best**
8 **efforts to securitize the ELG, the non-ELG cost,**
9 **described in this settlement, along with the remaining**
10 **netbook value of Mitchell." How much money is that?**

11 A. As we sit here today, I think it would be in
12 the \$600 million neighborhood.

13 **Q. Okay.**

14 A. Yeah.

15 **Q. And so, the benefit from -- of securitizing**
16 **\$600 million versus putting in a rate base from a**
17 **customer point of view is, the cost of capital at 100**
18 **percent debt is less than the utilities weighted average**
19 **cost of capital debt and equity?**

20 A. That's right. The -- the expectation would
21 be, if you were able to pass securitization issue,
22 grade -- grade A securitization bonds, you have the
23 lowest interest rate possible, so you would have a -- a
24 cost savings there, and return on component, the revenue
25 requirement would be lower for those dollars.

1 Q. Also, wouldn't there be a benefit from
2 levelization of cost recovery versus the declining
3 rate -- base rate of return where that a revenue
4 requirement is highest in year one?

5 A. There -- there'd be some of that, yeah.
6 And I think that you could also see a little bit of
7 benefit if you issued 20-year security bonds. You know,
8 I think right now -- I'm sorry, 20-year securitization
9 bonds. As you sit here today, current -- current
10 depreciable life of Mitchell is out to 2040, so it's
11 roughly 15 years, so you might -- you might gain a
12 little lower annual revenue requirement from the
13 difference in term as well.

14 Q. So the \$600 million, essentially, Kentucky
15 Power would be a utility with debt and equity that's
16 \$600 million less than it would the day before, versus
17 the day after securitization? You would be a smaller
18 utility?

19 A. All other things being equal, yes.

20 Q. Okay. But Kentucky Power would still have
21 full access to the Mitchell Plant, the energy, the
22 capacity. It would have to pay property taxes
23 on it -- it would still maintain the plant, everything
24 else is -- just is the financing would change?

25 A. Absolutely.

1 **Q. Okay. And your plan is to take the cash at**
2 **600 million and use it for new generation to be built in**
3 **East Kentucky?**

4 A. Yeah. Mr. Wolfram stated earlier that's the
5 company's current -- current plan. I can tell you,
6 my -- my team is working with Mr. Wolfram's team on
7 putting that application together, getting -- getting
8 that here to the commission and stakeholders. And -- so
9 when you put all those things together, right -- so what
10 we're trying to do is accomplish the securitization --
11 is -- is make -- make Mitchell a lower cost resource,
12 but at the same time, add generation, so if you put all
13 these pieces together, you can come up with a roughly
14 the same size Kentucky Power you have today, but with a
15 lower cost structure and an additional generation
16 resource.

17 **Q. You would need a CPCN for that new resource,**
18 **correct?**

19 A. That is my understanding.

20 **Q. Okay. Would you also consider buying a piece**
21 **or having a long-term purchase agreement from a**
22 **generating resource in Kentucky that's owned by**
23 **different utilities?**

24 A. I -- I don't -- I don't want to rule anything
25 out, but we -- we just went through an RFP process where

1 all -- all generators that can deliver power to us were
2 able to bid in, and so we just went through that
3 process. We just evaluated all those things, and it got
4 us to where we are today, so we never want to foreclose
5 any potential -- potential options.

6 **Q. How, along the same line, that same vein,**
7 **would you not want to foreclose the possibility of**
8 **securitizing additional cost to lower rates for**
9 **consumers?**

10 A. So there -- there is a practical -- practical
11 -- on a tipping point with securitization. You can't
12 just securitize everything. My understanding, from our
13 corporate finance group, is there's only -- there's a
14 certain level of saturation you can -- you can deal with
15 from a securitization standpoint. You can't just have a
16 -- a non-stop amount of bond payments out there, right?
17 Because you do have to have, you know, banks -- part of
18 the process is the banks that will be underwriting these
19 or issuing these bonds, like, they do look at
20 probability of recovery and demographics and -- and all
21 of that, so you can't -- you can't be too heavily
22 weighted in securitization bonds.

23 **Q. That makes sense. Would it -- would it be**
24 **possible to, as a way to lower rates, to securitize**
25 **X-million dollars of distribution of rate base?**

1 A. Potentially. I just -- I don't -- we haven't
2 done that study. I don't know if practical, but again,
3 we -- we -- we study a great -- great many things.

4 Q. And just to follow-up -- last question,
5 I think. Distribution, my client, Marathon, doesn't
6 really pay distribution, their transmission voltage.
7 If you did securitize distribution, it would primarily
8 go to benefit the small customers, residential
9 customers?

10 A. That -- that's right. The -- the company's
11 residential and small commercial customers are,
12 generally, the ones paying distribution costs in their
13 rates.

14 MR. KURTZ: Thank you, Mr. Vaughn.

15 THE WITNESS: Thank you.

16 COMMISSIONER HATTON: Sierra Club?

17 MR. SHOAFF: Good afternoon, Mr. Vaughn.

18 THE WITNESS: Afternoon.

19 EXAMINATION

20 BY MR. SHOAFF:

21 Q. I'm Nathaniel Shoaff on behalf of Sierra Club.
22 Can you hear me okay, if I speak to you like this?

23 A. Yes, sir.

24 Q. Okay. The microphones a little to my left.
25 I just want to make sure you can hear me all right.

1 Okay. I have some questions for you today about your
2 direct supplemental and rebuttal testimony. Now, if any
3 of my questions are unclear or if they're better
4 addressed in a post-hearing data request, please just
5 let me know.

6 A. Certainly.

7 Q. Okay. So in your role at AEP, that work
8 encompasses cost of service analysis, rate design,
9 energy supply costs, and new generation approvals among
10 other things; is that right?

11 A. Yes, sir.

12 Q. Does it encompass work on integrated resource
13 plans or IRPs?

14 A. So in -- in executing those -- those duties my
15 -- my team works with the IRP team fairly regularly.
16 I was a witness in our last -- our last IRP. I can't
17 remember if it was the last two IRPs. Yeah, I -- I'm
18 familiar with IRP work. I -- I myself do not do IRP
19 modeling. Oftentimes, myself and my team will
20 have -- you know, we're involved in those input
21 discussions within the company, all the different areas
22 of expertise in the company that feed into an IRP.

23 Q. Understood. Thank you.

24 A. Yep.

25 Q. I have a couple of questions for you just

1 about the background of the Mitchell Plant. This is a
2 two-unit coal plant, correct?

3 A. Yes.

4 Q. And both units went into service in 1971,
5 right?

6 A. I believe so.

7 Q. Okay. That would make these units 53 or 54
8 years old today, somewhere along those lines?

9 A. I believe that chair used that 54-year number
10 earlier today, yes.

11 Q. Okay. And that means both units have already
12 exceeded their designated useful lives, correct?

13 A. I would have to disagree with that. They're
14 still useful until 2040s is the company's -- company's
15 position.

16 Q. Okay. The -- chair Hatton asked your
17 colleague, Mr. Wolfram, about capacity factors of the
18 plant. Can you explain to us what a capacity factor is?

19 A. Yeah. Capacity factor is just a -- a measure
20 of -- based on the maximum potential output from a
21 generator, how often it is generating that amount or a
22 lesser amount, right? So if -- if you were a -- simple
23 math, if you were a 1,000 megawatt generator and all
24 hours of the year you generated at 500 megawatts, you
25 would've made 50 percent capacity factor. It's a -- a

1 utilization measure.

2 **Q. And do you know what the Mitchell Plant's**
3 **capacity factor was, say, over the last year?**

4 A. Not over the last year. If you -- I had
5 my -- the last two-year fuel review here, I had a lot of
6 testimony on Mitchell Plant's capacity factor, capacity
7 factors of other PJM coal plants, but in general, it's,
8 over the last 10-ish years, it's been in the 40s, I
9 believe, just generally speaking, Mitchell Plant's been
10 at 40 percent range capacity factor wise, which has been
11 fairly consistent with its RTO peers.

12 MR. SHOAFF: Chair, I have a demonstrative
13 exhibit to show the witness that -- is it all right
14 I approach and share the files with him?

15 COMMISSIONER HATTON: Yes.

16 MR. SHOAFF: Okay. There you go.

17 COMMISSIONER HATTON: Thank you.

18 MR. SHOAFF: Do you need --

19 COMMISSIONER HATTON: Yes.

20 MR. SHOAFF: Oh, sorry.

21 COMMISSIONER HATTON: Here we go.

22 MR. SHOAFF: Sorry.

23 BY MR. SHOAFF:

24 **Q. All right. Mr. Vaughn, I'm going to plug this**
25 **in and hopefully this will pop up on the screen, so that**

1 everybody can see this document, of those that did not
2 get a copy. Well, that may not work actually. You have
3 a copy in front of you.

4 A. Yeah.

5 Q. I -- I think we should just proceed with
6 questioning. If it shows up so that the rest of the
7 gallery can see, that would be great. But would you
8 agree with me, Mr. Vaughn, for the first part of this
9 decade, if you look on Page 2, those years -- let me
10 just back up. Part of what this document shows from S&P
11 Global are the annual capacity factors for the Mitchell
12 Plant for the first 24 years of this century. Do you see
13 those columns to the right labeled Capacity Factor?

14 A. I do.

15 Q. Okay. Would you look at Page 2, please? And
16 as you look at those years towards the bottom on the
17 right-hand column labeled 2020 -- 2001, rather, to 2010,
18 would you agree with me that in the first decade of this
19 century the Mitchell Plant operated with an annual
20 capacity factor usually in the 50s, 60s or 70s?

21 A. Yes. Certainly, the lowest listed capacity
22 factor in this document there is 49.46 percent in 2005.

23 Q. And those relatively high capacity factors
24 indicated the plant was competitive in the energy market
25 at that time, correct?

1 A. I'm not sure you can draw that exact
2 conclusion. I think what you can say is that its
3 marginal cost to generate, its variable cost to generate
4 on average was lower than the marginal cost in the PJM
5 RTO, which is what it was dispatched into economically
6 during that period of time.

7 **Q. Okay. And -- and if we turn back to the first**
8 **page and look at the years 2019 through 2024, would you**
9 **agree that the plant has not exceeded an annual capacity**
10 **factor of 40 percent since that time?**

11 A. I mean, that -- that's what the numbers are,
12 but again, you have to think about the other -- the
13 reasons why. And so you -- you stopped arbitrarily at
14 2010, and so it's about the time that hydraulic
15 fracturing became prominent and the supply of natural
16 gas was greatly increased and the cost of natural gas in
17 the economy went way down. And so everything prior to
18 that, you're looking at different gas market, a
19 different regime. And so, generally speaking, PJM RTO,
20 the marginal cost of energy is set from a combustion
21 turbine unit, 10 heat rate. And so, the cost of -- cost
22 of natural gas versus the cost of coal, it's going to
23 drive that, right? And so, you come over here under the
24 second page, which you correctly observed the capacity
25 factors are lower, right? And again, same economic

1 dispatch theory. You just have a different price of
2 gas, a different price of coal going into that over this
3 period of time.

4 **Q. Okay. But you would agree, at least for the**
5 **last five years, we have not exceeded this 36.89 percent**
6 **capacity factor?**

7 A. That's what these numbers say. You're right.
8 And -- and so when I was saying around 40 earlier, my
9 testimony that 22 fuel to your review was looking back
10 the ten years, you know, prior to 2022. So earlier in
11 the teens, there -- there were some higher capacity
12 factors achieved, so --

13 **Q. Okay. And you would agree with me that this**
14 **30 percent capacity factor is a fairly low capacity**
15 **factor per coal plant?**

16 A. I mean, compared to what?

17 **Q. Compared to other coal plants.**

18 A. No. I think we've presented evidence over and
19 over again, that Mitchell -- again, I haven't done this
20 in the last -- for '24 and '23, but we've evaluated
21 Mitchell Plant and the other coal plants that the AEP
22 operating companies operate in PJM versus, you know, you
23 can route to the state of the market report and the
24 market monitor will show you by -- by fuel type, what
25 the average is in the RTO. You know, when you look at a

1 plant specifically, you've got to take into account what
2 is the availability factor of that plant? So what --
3 did it have major construction outages that year? Was it
4 installing the ELG and CCR? You know, the -- all of
5 these things go into the realized capacity factor for
6 anyone generating coal gas, anything else. You know?
7 I mean, availability is a key metric, as well as
8 economics.

9 **Q. Part of the reason the Mitchell Plant hasn't**
10 **exceeded this 40 percent capacity factor and is now down**
11 **below 30 percent is that it's less competitive in the**
12 **PJM energy market than it used to be; is that correct?**

13 A. Can you define what you mean by competitive?

14 **Q. Well, if it's operating more at a 40 percent,**
15 **that suggests to me that it's more competitive with**
16 **other sources of generation. If it's operating below**
17 **30 percent, maybe towards 25 percent, then it's less**
18 **competitive than it was when it was at 40 percent.**

19 A. See, I don't necessarily view it that way.
20 So you got think of what the Mitchell Plant provides and
21 at least two -- two different products, right? So it's
22 supplying the company with the capacity it needs to meet
23 its reserve margin requirements, and then it's giving
24 the company's customers the option of the lower cost to
25 generate or market, right? So as we discussed, we're

1 always trying to find the lowest cost for our customers.
2 So if we can be -- if we can achieve a -- a lower
3 variable cost from purchasing from the market, we're
4 going to do that. And so, it's providing optionality.
5 It's not necessary. It's not an IPP. It's not competing
6 for gross margins of some sort. It's trying to provide
7 customers with that physical hedge on market prices so
8 that when they do spike, it is there. And I think if
9 you looked into the monthly profile of how these -- it
10 goes into these capacity factors. You're going to see
11 that it's going to run a lot more in the summertime and
12 the wintertime when the natural gas prices go higher,
13 loads go higher, LMP prices go higher. So you're
14 avoiding a higher purchase from the market.

15 **Q. And in general, utilities should avoid making**
16 **long term investments in aging and inefficient**
17 **resources; would you agree with that?**

18 A. No, I wouldn't agree with that.

19 **Q. One problem with making long term investments**
20 **in aging and inefficient power plants is that the**
21 **utility might be required to make even more investments**
22 **further down the line to keep the plant operational,**
23 **correct?**

24 A. So I think you're trying to misconstrue the
25 age of the plant with like kind of its operational age.

1 You know, talking to Mr. Snodgrass, you know, sure, it
2 is a 54-year-old structure, but through capital renewal,
3 maintenance, capital investment in that project -- in
4 that plant. There -- there are very few 54-year-old
5 pieces of equipment left in that plant. That's just how
6 -- how machines work. You replace them overtime.

7 **Q. In your discussion with Mr. Kurtz, you**
8 **mentioned a new resource, CPCN.**

9 MR. SHOAFF: We can put this document aside and
10 no longer need it. Thank you.

11 BY MR. SHOAFF:

12 **Q. Big picture, I'd like to get a sense of where**
13 **this CPCN and this docket fixed into Kentucky Power's**
14 **upcoming filing before this commission. The company's**
15 **last IRP was in 2023. So you'll have an IRP in 2026,**
16 **correct?**

17 A. I don't know the timing of the next IRP.

18 **Q. Okay. You'll have a CPCN for whichever**
19 **cooling tower repair project is ultimately selected**
20 **here, correct?**

21 A. That's my understanding, yes.

22 **Q. Do you know when that's going to be filed?**

23 A. Not specifically. It will be sometime in
24 2026.

25 **Q. Do you know if that's expected to be filed in**

1 the first quarter, second quarter, third quarter,
2 something else?

3 A. I would say it's probably likely that it will
4 be filed the first half of the year.

5 Q. And if you know, Kentucky Power files a CPCN
6 for the cooling tower repair in the first half of 2026.
7 Should the public, should customers, rate payers, expect
8 that Wheeling Power will also file a CPCN with the West
9 Virginia PSC along those time frames for the same
10 project?

11 A. That -- that's my understanding, is that
12 Wheeling will also seek a CPCN for that project. And so
13 when we prepare that, it'll be prepared for both
14 companies.

15 Q. And just so I'm clear, both companies are
16 affiliates of AEP, yes?

17 A. Yes. They are fully owned subsidiaries of
18 AEP. They are affiliate companies.

19 Q. Okay. So AEP is in -- AEP has some say in
20 whether or not those companies file those CPCNs?

21 A. The -- AEP SC provides professional services.
22 We have advised. So you know, Company President
23 Wiseman, and Company President Walker for Wheeling,
24 they're -- they're making that decision. You know,
25 they're listening to the same technical experts

1 that -- that we're talking to when we're looking at
2 costs, right? So we have -- we have one set of shared,
3 you know, engineering experts who are advising them on
4 this project. They're advising others on other
5 projects, right? So it's a -- it's a -- it's a cost
6 efficiency, but ultimately the company presidents will
7 make that decision as to how we proceed and then they
8 will ask their shared resources to make that happen for
9 them.

10 Q. Okay. And I believe in discovery response to
11 Staff 4-4, that was just filed last week, you indicated
12 that the company expects to file a CPCN for a 450
13 megawatt natural gas simple cycle combustion turbine at
14 Big Sandy in the first quarter of 2026; is that right?

15 A. That is correct.

16 Q. Okay. So that's three, and it looks like a
17 fourth to me. There will be a CPCN associated with, at
18 some point, whichever post 2031 environmental compliance
19 plan that those identified in your testimony as
20 alternatives E1 to E5, that the company ultimately opts
21 to pursue; is that accurate?

22 A. Potentially, right? We -- we don't know
23 what's going to happen with the regs that the EPA has
24 indicated they're revisiting. We've had many
25 discussions earlier. If those regs are pushed out or go

1 away entirely, you may or may not have -- may not be a
2 need for any of those alternatives shown in the post '31
3 analysis in my direct estimate.

4 **Q. Right. Fair. Yeah. I -- I get that changing**
5 **regulations can change that. Do you have a sense of**
6 **when that decision is going to be made? Is that going**
7 **to be made prior to 2028? Is it going to be made in**
8 **2031? Will it be part of a 2026 CPCN? Like, the long**
9 **term --**

10 A. Are you asking -- are you asking me when I
11 know if the EPA is going to make a decision or when I
12 would make -- when we would make decisions?

13 **Q. Yes. I'm asking when the company intends to**
14 **make the decision?**

15 A. So there's a current compliance. This is a
16 very interesting scenario, right? So you have current
17 law and you have current deadlines to make decisions.
18 And so, that's why the company has run the
19 analysis -- analyses it has. And it is waiting for more
20 guidance from federal government on what's going to
21 happen with the rules that they have publicly noticed
22 they plan to either push back or repeal altogether.
23 And so, we're -- we're always -- we're always trying to
24 act prudently with the information we have. And
25 unfortunately, we just don't know what we don't know at

1 this point.

2 Q. Okay. Are there other CPCNs that I haven't
3 just identified that you know the company intends to
4 file with this commission in the near term?

5 A. Yeah. I -- I -- I don't know if there's a
6 transmission CPCN or some other distribution project
7 that requires them to file a CPCN. I -- I -- I don't
8 know.

9 Q. But no other new generation CPCNs that's on
10 the very near-term horizon?

11 A. Not that I know of.

12 Q. Okay. And then when the company applies for a
13 CPCN in 2026, the cooling tower, I believe you did
14 indicate that -- that is coming sometime in 2026?

15 A. Yes. That's my understanding.

16 Q. Okay. If the commission denies the request to
17 extend the ownership interest in this docket, could the
18 company come back in that 2026 CPCN and ask that -- that
19 relief be included there?

20 A. Potentially. I don't know what the company
21 would decide to do, what President -- President Wiseman
22 would choose to do, or what President Walker would
23 choose to do. I mean, we've -- we've come here to get
24 caught up and provide customers with the lowest
25 reasonable cost alternative for '28 to '29. As I

1 discussed earlier, if they don't make a decision here
2 and Kentucky Power does not have entitlement to the
3 energy capacity off that unit for the upcoming planning
4 years that we have to commit our plan for in PJM, there
5 -- there will be additional cost to customers. I think,
6 you know, Mr. Kurtz threw a fairly reasonable estimate
7 of what those costs would be based on current market
8 dynamics.

9 **Q. Okay. I want to change gears and ask you**
10 **about the economic analysis that was done in this case.**
11 **The company didn't conduct capacity expansion modeling,**
12 **did it?**

13 A. Which economic analysis are you --

14 **Q. The economic analysis that you identified in**
15 **your testimony as supporting the CPCN in this docket?**

16 A. So the direct testimony Options 1, 2 and 3?

17 **Q. Yes.**

18 A. Yes.

19 **Q. And -- and any of those future compliance**
20 **options, E1 through E5. The company did not conduct**
21 **capacity expansion modeling, did it?**

22 A. No. It would not be appropriate to do so
23 there, especially for the near term, right? The -- the
24 Table 1, Alternative 1 through 3, we could not have had
25 additional new resources online in that time frame. So

1 capacity expansion modeling is a pointless exercise in
2 regards to that analysis.

3 **Q. But it also wasn't done for the post '30, 2031**
4 **analysis, was it?**

5 A. I would disagree with that. So not a full IRP
6 was run, but the company's environmental experts and IRP
7 team all sat down with what the environmental options
8 would be for compliance with -- with the environmental
9 regulations. So what -- what are the compliance options
10 for the Mitchell Plant, and then based on modeling, we
11 were doing capacity expansion modeling for other
12 filings. We were looking at what is -- what is the
13 cheapest alternative? And that is essentially, you
14 know, if you're just looking at the generic new resource
15 options out there to replace something of this
16 magnitude, what is it? So it's a new combined cycle
17 plan. So that -- that option came into the analysis
18 through capacity expansion, and then we used our
19 capacity expansion model, PLEXOS, to model the dispatch
20 analysis of all of the options in the post '31 analysis.
21 And I believe we indicated that in discovery multiple
22 times.

23 **Q. And if we submitted a post-hearing data**
24 **request on where in the record that information exists,**
25 **you could point us to it?**

1 A. I believe it's in my direct testimony and in -
2 - and in data responses, yes. We use PLEXOS to model
3 the dispatch of all the post '31.

4 **Q. And did the company conduct production cost**
5 **modeling?**

6 A. Yeah.

7 **Q. And where in the record is that?**

8 A. If it's in our answers to our data
9 request -- so we -- we did the production cost modeling
10 in PLEXOS, and so we looked at what -- what is the new
11 operating profile of -- the engineering team worked with
12 the plant team to come up with, hey, if we -- we did 40
13 percent co-fire, did 100 percent gas conversion, what
14 operating characteristics of the unit would change? So
15 is the heat rate going up or down? Is the up or
16 downtime changing? You know, what -- you know, does the
17 ramp change? Does the minimum downtime change after --
18 after a shutdown down or a startup? And all of those
19 variables for each option were fed back into the PLEXOS
20 model, including the company's fundamental commodity
21 forecasts, and then PLEXOS -- PLEXOS did -- did the
22 production costing, dispatched it against the assumed
23 market prices, and that -- that's how we got to the
24 energy margin portion of the post-2031 analysis.

25 **Q. Okay. Let's look at those near term options**

1 that you identified, those three. If you open your
2 direct testimony -- I should have asked before, do you
3 have your direct testimony in front of you?

4 A. I -- I do, sir. Yes.

5 Q. Okay. I figured you did, but would you go to
6 Page 4 of your direct testimony?

7 A. Certainly.

8 Q. So on page -- are you at Page 4?

9 A. Yes, sir.

10 Q. Okay. So you see those three bullets on Lines
11 13 to 17. Those set out essentially three options for
12 the near term for the plan, which would be continuing to
13 receive power from Mitchell. PPA is based on 2023 IRP
14 and market purchases; is that accurate?

15 A. Yes, sir.

16 Q. And then if you can look at -- if you look at
17 Page 8 also of your testimony, there's a table there.
18 It's labeled AEV1.

19 A. Yep. Summary of the costs.

20 Q. Those costs are roughly 335 million for
21 Alternative 1, 471 million for Alternative 2, and 895
22 million for Alternative 3; is that accurate?

23 A. That is correct.

24 Q. Okay. And for those, for Alternative 1, where
25 you continue taking power from Mitchell, those are --

1 those costs increase based on the revised and updated
2 costs for the cooling tower repair; is that right?

3 A. So not -- not in this table. So Table --
4 table 1, in my direct testimony, it does not include the
5 roughly \$5 million a year reduction you would see based
6 on the settlement agreement, right? Because this is our
7 as-filed proposal with a different amortization period,
8 the ELG catch-up payment. So Option 1 would be about
9 \$5 million a year cheaper under the settlement
10 agreement, and it also does not include any additional
11 cost for the potential cooling tower replacement
12 options. Those are included in my supplemental
13 testimony in one of those tables.

14 Q. You -- right. I mean, I don't mean to suggest
15 that -- that information is already in this table. I
16 just mean those increased costs impact Alternative 1; is
17 that accurate?

18 A. Yes, sir.

19 Q. Okay. Now, for the power purchase agreement,
20 this Alternative 2, I believe you stated in your
21 testimony -- well, let's just look at the -- at your
22 supplemental testimony on Page 9. You have that in
23 front of you?

24 A. Yes, sir.

25 Q. Okay. So Page 9 of your supplemental

1 testimony, on Lines 7 to 9 -- this is towards the bottom
2 of the page, you write, "One should keep in mind that
3 Alternative 2 from my direct testimony utilizes dated
4 PPA information that the company believes to be lower
5 than today's market for PPAs." Did I read that
6 accurately?

7 A. Yes, sir.

8 Q. Okay. How much lower?

9 A. I can't give you an exact number, but
10 what -- what I can tell you is that you -- when you look
11 through the timeline of the RFP bids from the 2020 --
12 late 2023 RFP, right? So we got the bids in, and -- and
13 we -- we generally say RFP, but it was multiple RFPs.
14 Remember, there was storage, intermittent, and thermal
15 resource RFPs. And so, we -- we brought to the
16 commission last year the most economic project out of
17 the intermittent, the Bright Mountain Solar renewable
18 energy purchase agreement, while that was going on --
19 and so we separated them out into different filings
20 purposefully, because while we were evaluating that and
21 determined that Bright Mountain was the most economic
22 choice out of the intermittent RFP, the EPA regs hit the
23 federal register, I believe, in April of 2024. So that
24 would impact the thermal bids. So our commercial team
25 contacted the bidders, asked them for updated quotes.

1 And so, they had -- they had a number of days to update
2 their bids for that in late 2024. And so, then we
3 reevaluating those costs, and we saw a sharp uptick in
4 cost based on -- from the initial bids to those
5 refreshed post environmental -- proposed environmental -
6 - or no longer proposed, enacted environmental rules,
7 right? And so, subsequent to that, you had additional
8 capacity market clears that went from \$220 -- you know,
9 about the same time they were bidding last year, in
10 2024, capacity market had cleared for roughly \$220 a
11 megawatt. Since then, we've had a capacity option clear
12 go up to the cap of 329, so it would stand to reason
13 that those bids, if refreshed again, would go higher.
14 To the extent -- you know, as I mentioned, some of the
15 resources that were bid in that RFP have since been sold
16 to other parties. We don't even know if they would be
17 willing to -- to bid it to an RFP if it went back to
18 market. So I don't have an exact answer for you how
19 much lower, but the answer is, I'm confident those RFP
20 prices are lower than today.

21 **Q. All right. But the information on how much**
22 **lower, it's not somewhere in the record, right? It's**
23 **not that you just don't know --**

24 **A. It's not, but even -- even if it's -- if**
25 **it's -- there -- it's \$5 lower or it's \$10 lower, the**

1 Option 1 Mitchell cost of service is still by far the
2 lowest reasonable cost for our customers compared to
3 those PPAs.

4 Q. Okay. Let's talk about an alternative that
5 the company could have, but didn't consider. Your
6 colleague Mr. Wolfram today noted that the prior order,
7 at least in his view, didn't require divestiture of
8 ownership of the plant, just that the company stop
9 taking power from the plant. Here, the company didn't
10 consider an alternative where it would purchase near
11 term power from Mitchell, but not retain its ownership
12 interest, did it?

13 A. Can you explain that again, or rephrase your
14 question?

15 Q. The company did not consider an alternative
16 here where it would, A, purchase near term power from
17 Mitchell and, B, not retain ownership interest?

18 A. So you're saying -- your question is, did we
19 consider --

20 Q. A PPA with --

21 A. -- purchasing through a PPA from Wheeling the
22 energy capacity from Mitchell?

23 Q. Yes.

24 A. No, we -- we did have those discussions. I
25 believe I had talked about it in my rebuttal testimony,

1 and the indication from Wheeling is that it would be for
2 the cost of service of Mitchell. So you get to the
3 exact same cost that's in my Alternative 1 in Table AEV1
4 for 2029, 2030 and '31. So there's -- there's no --
5 there's no advantage to our customers of doing so. All
6 you're doing then is creating -- creating an issue where
7 you've purchased energy for those years, you don't have
8 optionality on the plant, and you now have to replace it
9 with something that's going to be higher cost.

10 **Q. Now, I believe in your rebuttal testimony you**
11 **said entering into a PPA with Wheeling Power would be**
12 **the same as Alternative 1?**

13 A. For those years, yes, '29 through '31.

14 **Q. Right. Is it typical for a power purchasing**
15 **agreement to include future environmental compliance**
16 **costs and obligations similar to having a 50 percent**
17 **ownership in a plant?**

18 A. Yes. If it's a regulated deal between two
19 companies, why -- why would -- why would the rate payers
20 of West Virginia subsidize the rate payers of Kentucky,
21 right? The -- they would have all of those costs on
22 Wheeling Power's books. They would ask Kentucky Power,
23 in this hypothetical short term PPA, to pay the full
24 cost of service of those -- the -- all the costs to own
25 and operate, produce power from that share of the plant.

1 Q. So I'm trying to understand what the
2 trade-offs would be here of that kind of alternative
3 which Sierra Club has proposed in our direct testimony.
4 In the short term, I hear you saying that they would
5 provide the same benefit to the company and its
6 customers with a similar amount of power for a similar
7 price; is that right?

8 A. Sorry, can you repeat your question?

9 Q. All right. So the trade-offs there under this
10 alternative where you enter into a PPA with Wheeling for
11 power in the near term, say 2029 to 2031 -- for the
12 company and its customers, they would get a similar
13 amount of power from it for a similar price; is that
14 right?

15 A. Yes, that -- that's my testimony that --

16 Q. Is that demonstrated in the record here?

17 A. I'm -- I'm telling you in my testimony and
18 today that we discussed this with Wheeling Power, and
19 they indicated that, yes, it would be for cost of
20 service, right? You -- they have to answer to a public
21 service commission as well as Kentucky Power does, so
22 they -- there's not going to be a -- a discounted PPA
23 under some sort of scenario here.

24 Q. Okay, but so the benefit to the company is
25 that you would get this power, but in the long term,

1 there's a difference, which is that at the end of 2031,
2 you'd need to secure additional generation, correct?

3 A. Yes. You -- and to do so, you would begin
4 working today.

5 Q. Yeah. You'd have six years to develop a plan
6 and secure new generation from 2025 to the end of 2031?

7 A. Yeah. I mean, that's -- or --

8 Q. But you also --

9 A. If you're looking to bring a new plant
10 online --

11 Q. Yeah.

12 A. -- you start today to hit 2030, 2031.

13 Q. But you also wouldn't be obligated to pay for
14 those ongoing costs of a 55 -- at that point, roughly
15 60-year-old coal plant, correct?

16 A. Again, I'll -- I'll kind of disagree with your
17 contention that it's -- yes, the structure is that old.
18 The plant's been in service that long, but again,
19 capital renewal, investment in the plant -- you know,
20 not everything inside that plant is 55-plus years old at
21 that point.

22 Q. Okay. Let's look at the cooling tower repair
23 options from your testimony. For the cooling tower
24 repair options, the company here has identified four
25 options. I believe this is Page 2 of your supplemental

1 testimony. I'm sorry, it should be Page 3 of your
2 supplemental testimony.

3 A. I was in the wrong testimony. I'm getting
4 there. Yes -- yes, Page 3.

5 Q. Okay. The work was paused in July of 2025.
6 I think that's what your colleagues previously
7 testified. Is it still paused?

8 A. Yes, sir, you're correct that it was paused in
9 July of 2025. It has been mostly finished, to my
10 understanding. I believe Mr. Snodgrass discussed that a
11 little earlier as well.

12 Q. Sorry. When you say, "mostly finished", what
13 do you mean by that?

14 A. The -- the -- the project itself that was
15 paused, right? So they -- there's equipment up on
16 the -- my understanding from talking to Mr. Snodgrass
17 and the engineering team is he had equipment up on the
18 tower to do the work, and so that -- there were -- as he
19 discussed, there were rebar repairs and things that
20 needed to be -- needed to be made. Those were
21 completed. The -- we called it -- the shell
22 reinforcement was not completed. That is the part of
23 the project where the -- the scope upon -- it was
24 discovered the scope of those repairs were -- were
25 larger than initially anticipated. That part of the

1 project was paused and subject to further reevaluation
2 here in these four -- four options. But my general
3 understanding is that the project essentially is done,
4 right? So that project has been stopped.

5 **Q. Got it. That's the project that's been**
6 **stopped?**

7 A. Yes, the original -- the original project.

8 **Q. Got you. How long -- so in the current state**
9 **that the cooling tower's in, how long can it continue to**
10 **operate safely?**

11 A. I can't answer that. I think Mr. Snodgrass
12 said earlier that our understanding is that it -- and
13 this is my general understanding as well; we've been in
14 some of the same meetings -- is that it doesn't have an
15 immersion issue, where it's -- like, we're -- it
16 is -- just to be clear, it is under continuous
17 monitoring. There is continuous monitoring on it. There
18 may not be a drone flying up there all the time, but
19 there are systems on the cooling tower that provide the
20 engineering team with continuous data monitoring of the
21 cooling tower structure. And then no -- no one knows
22 how long it will operate safely and reliably in its
23 current state, but the engineering team has recommended
24 that something be done to address the issues going
25 forward. And these are the options that have been

1 provided.

2 Q. Okay. I would like to ask you just a couple
3 of questions about costs. I understand that's
4 confidential.

5 A. Sure.

6 MR. SHOAFF: Chair, this one I would like to
7 enter into a confidential session.

8 COMMISSIONER HATTON: Okay. Candace?

9 MS. SACRE: Yes, ma'am.

10 (Confidential Portion I redacted.)

11 THE REPORTER: We're on public, Chair.

12 COMMISSIONER HATTON: Okay. We've been off in
13 confidential session to ask the witness questions
14 based on the confidential record. And now we are
15 back on the public record. Mr. Shoaff?

16 MR. SHOAFF: Yeah. Thank you.

17 RE-EXAMINATION

18 BY MR. SHOAFF:

19 Q. Mr. Vaughn, just a quick question about the
20 time in here. Your -- I believe your rebuttal
21 testimony, excuse me, that was filed November 13th of
22 this year; is that right?

23 A. That sounds correct. Yes.

24 Q. Okay. And the decision we were just
25 referencing was made on November 6th?

1 A. Yes, sir.

2 Q. Okay. But your rebuttal testimony doesn't
3 address this particular issue, does it?

4 A. No. There's -- there was nothing to rebut on
5 the issue.

6 Q. Okay. All right, let's switch gears. I don't
7 have very many more topics for you. On the Effluent
8 Limitation Guidelines for what I'm calling the 2024 ELG
9 Rule, there's been some discussion today about what that
10 requires with regard to coal plants. If Mitchell were
11 to convert 100 percent to gas, would it need to comply
12 with the 2024 ELG Rule's zero liquid discharge
13 requirement?

14 A. Great question. Nuanced answer for you. So a
15 plant operations would not be compliant with -- with ZLD
16 is my understanding, but you would still have some
17 compliance dollars at a -- a much lower amount for the
18 discharge from the existing impoundments on the Mitchell
19 Plant site. So there -- there's -- there's ash ponds
20 there that are subject to the ELG rules today. And my
21 understanding from our environmental and engineering
22 teams is there would still be some expense there. And
23 those expenses are included in alternative E3 in the
24 post 2031 analysis. But just to -- to answer your
25 question more directly, the -- the ELG -- 2024 ELG costs

1 are much lower under that option than the options where
2 you continue to burn some level of coal.

3 **Q. Can you tell us -- thank you for that.**

4 **I appreciate that not every answer can be yes or no.**

5 **Can you tell us what those costs were that were included**
6 **in the analysis for E3?**

7 A. Off the top of my head, I don't -- I don't
8 remember the exact amount. It's in the work papers that
9 we provided in here. I want to say it was -- I -- I
10 just don't know. I don't want to quote you something
11 wrong. It's -- it's --

12 **Q. Fair.**

13 A. -- it's much lower. It -- it's included
14 in -- in the -- the work papers we provide in AG11.
15 In response to AG11, there is a detailed work paper for
16 all of these scenarios, including the incremental
17 capital cost and the new operating cost profiles of each
18 compliance option.

19 **Q. Well, we will look at AG11 in response. And**
20 **if it's still unclear, we will ask a post-hearing data**
21 **request about that.**

22 A. Okay.

23 **Q. Okay. Let's talk about the long-term plans**
24 **and these environmental compliance options. In your**
25 **direct testimony, you described five future potential**

1 plans for the plant. These are labeled E1 to E5. Is
2 that accurate? And if you look at your direct testimony
3 on Page 10 is where these are set out?

4 A. Yeah, that -- that's right. I just -- I just
5 want to be clear. Like, E5 isn't -- you know, E5 as we
6 indicate is like if the regs were to be rolled back,
7 postponed or completely rolled back, right? Really, if
8 you're assuming the environmental regime stays in place,
9 it's really options E1 through E4.

10 Q. Okay. And with regard to E3, this is convert
11 to 100 of gas to comply with the GHG Rule with no
12 retirement date.

13 A. There's no set retirement date with that
14 option. Correct.

15 Q. Yeah. And that analysis includes the zero
16 liquid discharge requirement to comply with the 2024 ELG
17 Rule; is that correct?

18 A. Yes, sir.

19 Q. And that's that I believe what you call the
20 nuanced answer, where we're looking at some existing
21 impoundment costs --

22 A. Yes, sir.

23 Q. -- that we'll be able to identify either
24 through AG11 or a supplemental request?

25 A. Yes. It's a reduced amount compliance cost.

1 Q. Okay. Your rebuttal testimony addresses
2 Sierra Club witness Glick's testimony in large part; is
3 that accurate?

4 A. Yes.

5 Q. Okay.

6 A. Sierra Club witness Glick and Mr. Kollen's
7 proposals on cost -- record.

8 Q. In Ms. Glick's testimony, she states that EPA
9 estimates the updated, so this is 2024, ELG Rule will
10 require more than \$50 million in additional cost at
11 Mitchell. Your rebuttal testimony doesn't address that
12 point. Do you have any reason to doubt that estimate?

13 A. Again, I think the -- the actual amounts are
14 included. Our actual current estimates are included in
15 the work papers for E1 through E4, but I don't -- I
16 don't have any reason to doubt that number.

17 Q. Do you know what the 2024 ELG compliance costs
18 would be at Mitchell?

19 A. Not -- not offhand. Like I said, there --
20 it's in my work papers. There are incremental capital
21 amounts in there and then there's operating expenses
22 associated with ELG compliance as well. All -- all of
23 that included in the work papers.

24 Q. Okay.

25 A. And -- and the analysis, the summary tables in

1 my testimony.

2 Q. When you say, "work papers," just so I'm
3 clear, I'm going to go back and look, is that AG11 or
4 some other work paper?

5 A. Yeah. So when you look at the response to
6 AG11, there's about a dozen Excel spreadsheets in there.
7 I think -- I think there's some sort of index provided
8 as well as to what each one is. Yeah. There -- there
9 is a -- an Excel workbook for each one of the options
10 and there's associated other inputs in the work papers
11 there as well.

12 Q. We will look at that. I can't find it
13 for -- from that post-hearing data --

14 A. There's a lot of Excel there. Best of luck
15 there.

16 Q. Okay.

17 MR. GISH: Mr. Shoaff, if I might point you on
18 Staff 4-2 includes the, for lack of a better term,
19 the table contents for what the work papers are.

20 MR. SHOAFF: Thank you. Staff 4-2 is the one
21 that was just filed last Friday?

22 MR. GISH: Yep.

23 MR. SHOAFF: Okay.

24 COMMISSIONER HATTON: That was courteous,
25 Mr. Gish. Thank you.

1 MR. SHOAFF: You saved us a lot of time.

2 MS. GLASS: We're here to help.

3 BY MR. SHOAFF:

4 Q. All right. Just a couple of other questions.
5 In the long-term analysis, which is what we're talking
6 about here with these environment compliance options for
7 the plant, did you compare the cost of continuing to
8 take power from Mitchell operating on coal to an
9 alternative where the plant converts to 100 percent gas
10 and does not install any zero liquid discharge system?

11 A. Can you ask your question again? So I'm
12 clear.

13 Q. Okay. So yeah, for the long-term analysis
14 where you're comparing these alternatives, alternative
15 E3 is the one where you convert to 100 percent gas, but
16 that includes a zero liquid discharge system cost. Did
17 you do any analysis that would've compared the cost of
18 the proposal that the company would like to go forward
19 with, to a scenario where the plant converts to 100
20 percent on gas as it does in E3, but does not install a
21 zero liquid discharge system?

22 A. So what -- what's included in confidential
23 table AB2 is the three -- alternative E1 through E3 are
24 the compliance options from Mitchell, which our
25 environmental experts provided to me as here -- here are

1 compliant options for the MATS, 2024 ELG and greenhouse
2 gas rules. And within those are their estimates of our
3 cost to comply. So when you say no ZLD, they -- they
4 advised we had some sort of ZLD cost. Like I said, it's
5 -- it's a much smaller amount because it's not on the
6 operations of the plant. It -- it's on the existing
7 impoundment product. So all of those compliance costs
8 and estimates are included in E1 through E3. E5 is
9 provided as an estimate of, you know, business as usual
10 for the Mitchell Plant with its current -- you know, at
11 the time we filed the current capital forecast --
12 capital and operating O&M budget for the plant out
13 through 2040 to show how those alternatives compare to
14 business as usual, if you will.

15 **Q. Okay. I believe the answer to the question**
16 **was no, but I want to make sure that -- that's your**
17 **testimony.**

18 A. So I -- I didn't study any -- I didn't study
19 any scenarios that my environmental team told me weren't
20 compliant.

21 **Q. Okay.**

22 A. So I -- I have to lean on their expert --
23 their subject matter expertise. So when they tell me
24 there are sum ZLD costs, you know, 100 percent gas
25 conversion, I -- I have to defer to them on that.

1 Q. Okay.

2 A. I -- I run the economics. They tell me how to
3 comply with environmental regulations.

4 Q. Everybody answers to somebody. All right.
5 I just have a couple other questions for you. In the
6 discussion today, there's been a lot of talk about
7 uncertainty at the federal level, which you yourself
8 have referenced. There was talk of onsite oversupply
9 issue with coal and coal contracts leading to uneconomic
10 dispatch to coal plant and the incremental cost of
11 handling coal combustion waste either through the CCR
12 Rule and the ELG Rule. If you were to convert this
13 plant, Mitchell to gas, 100 percent gas, don't you avoid
14 this regulatory uncertainty, the coal oversupply and
15 onsite storage issue and having to address any of what
16 you do with these internal costs of ongoing coal ash?

17 A. So -- so yes, there -- there are -- there --
18 there are trade-offs and -- and there are things you no
19 longer have to manage, but you're -- you're, like I
20 said, you're still going to have to manage the current
21 ash impoundments and all of that -- that's on the
22 property, that's included in that. There -- there is a
23 different operating expense profile. So yes, you may
24 not have to -- you wouldn't have incremental coal ash
25 handling, right? And that's -- that's reflected in the

1 option, right? It's -- I just want everybody to
2 understand that it's -- it's not a converted tomorrow
3 thing. There's other -- there's other things you would
4 have to do, right? You would go, these are estimates
5 based on what we do at the time. You go out, you rebid,
6 you get new estimates, you would have to do your RFP to
7 have gas infrastructure installed. Like, yes,
8 you -- you wouldn't have cost of coal anymore. You'd
9 have cost of gas as fuel. So totally agree. There are
10 trade-offs in what your cost drivers would be at that
11 plant if you changed its configuration to run off of 100
12 percent gas.

13 **Q. Got it. And you agree that -- that would**
14 **avoid this regulatory uncertainty that we're in right**
15 **now?**

16 A. If by "regulatory uncertainty," you mean the
17 2024 ELG and -- or -- and greenhouse gas regulations,
18 then yes. If you made the plant compliant, you in
19 theory wouldn't have to worry about what happens with
20 compliance.

21 **Q. Yeah. And that onsite coal storage issue,**
22 **where in order to avoid contractual penalties the coal**
23 **plant has to operate in an uneconomic manner, you'd**
24 **avoid that, too, right?**

25 A. I -- I want to be careful about how we

1 characterize the onsite storage issue, right? Because
2 it -- there -- there's times -- so when gas is really
3 cheap, you can view it as, all right, well, I can only
4 fit so much coal on site and you have to contract
5 forward and, yes, there's a carrying cost for -- for
6 having more coal on site. But then as we saw in 2022,
7 when gas gets really high or you have a commodity spike,
8 that coal on hand can be very valuable and can provide
9 the customers a -- a lot of benefits. So -- so yeah,
10 there's -- there's gives and takes.

11 **Q. Mr. Vaughn, we've been at it for a while.**
12 **Thank you for your candor today. I really appreciate**
13 **the discussion we had and I don't have any further**
14 **questions for you.**

15 A. Thank you.

16 COMMISSIONER HATTON: All right. Staff?

17 MR. BELLAMY: We do have some questions.
18 We need to just swap out the thing and we can use
19 that.

20 MR. SHOAFF: Does this have a name?

21 MR. BELLAMY: I don't know.

22 MR. SHOAFF: It could have gone worse.

23 MR. BELLAMY: I apologize.

24 COMMISSIONER HATTON: No that's okay. Do we
25 need a little break?

1 MR. BELLAMY: Maybe that would be good.

2 And --

3 COMMISSIONER HATTON: Yeah.

4 MR. BELLAMY: Get Jim to set that up.

5 COMMISSIONER HATTON: I was going to wait about
6 20 minutes and take one but yeah, let's take a
7 ten-minute break.

8 (A recess was taken.)

9 COMMISSIONER HATTON: All right. We are back
10 on the record, and I think we were ready for Staff
11 Cross.

12 RE-EXAMINATION

13 BY MR. BELLAMY:

14 Q. I just want to talk about some of the
15 short-term alternatives really quick from Table AEV1.
16 And this is, I think, a Work Paper that was provided in
17 response to the Attorney General's first request for
18 information. And could you confirm that -- that Chart
19 here in this first tab is a recreation of the -- Table
20 AEV1 from your direct testimony?

21 A. Yes, sir.

22 Q. So I'm looking at Alternative 3. If you go to
23 the Market tab.

24 A. Scroll left?

25 Q. Yeah, scroll left. And then scroll up, maybe.

1 So there at the top, that's the -- it shows the
2 projected generation for Mitchell 1 and 2, revenue for
3 Mitchell 1 and 2, and then the total generation cost for
4 Mitchell 1 and 2; is that correct?

5 A. Correct.

6 Q. And the total generation cost, that's the
7 variable cost of generating energy from Mitchell 1 and
8 2?

9 A. Yes. So that's -- that's -- we are looking at
10 there is a -- a summary of PLEXOS production cost
11 modeling output. So that -- that is, the Mitchell units
12 bid economically against the simulated market, and then
13 dispatching economically. Those are the total variable
14 costs. So fuel any sort of emission allowance,
15 scrubber, reagent costs. They're included in the
16 variable production power versus the market revenues.

17 Q. Okay. And you kind of did just list off a
18 few -- what -- could you kind of just quickly go through
19 and describe the types of costs that are included in
20 that variable cost that you look at, to determine
21 whether or not the energy is economic? Can you just
22 briefly describe the types of items that are recruited
23 in that variable cost production?

24 MR. KOLLEN: I can't hear Vaughn for some
25 reason. I don't know why.

1 MR. SHOAFF: Hello?

2 MR. WEST: I think we all heard him so.

3 COMMISSIONER HATTON: Someone's what?

4 MR. BELLAMY: Everyone heard that right?

5 MR. SHOAFF: Yes.

6 COMMISSIONER HATTON: What did we hear?

7 MR. WEST: I think it was Lane rejoining Teams.

8 COMMISSIONER HATTON: Okay. No worries. Okay.

9 THE WITNESS: Can you repeat your question?

10 BY MR. BELLAMY:

11 Q. If you could briefly describe the items that
12 were included in that variable cost of production?

13 A. Yeah, certainly. So variable cost of
14 production is of course fuel. So in this instance it
15 would be coal -- coal expense. You know, some -- some
16 measure of fuel handling should go in there as well.
17 Then you have scrubber reagent costs. So there's
18 various chemicals, limestone, trona, potentially urea,
19 it just depends on the -- the plant, the scrubber. But
20 there's -- there's different chemicals that go into the
21 -- the scrubbers that you have to -- that vary with the
22 amount of electricity you produce at the plant. And
23 then there's potentially emission allowance costs. So
24 like during summer Knox season, there's the cost of
25 emission allowances to -- to cover emissions from the

1 production.

2 **Q. And for this calculation how did you estimate**
3 **those costs, for the purpose of writing this, kind of**
4 **production cost modeling?**

5 A. Yeah, so full disclosure, I asked the experts
6 that do the production cost modeling to do this for me.
7 And those costs were developed based on this short term.
8 So it's -- it's going to be any contracts we have for
9 those -- those items. Whether it be coal or reagents or
10 then market curves and other forwards for such products.
11 You know, so it's -- it's a mix of contracted and
12 available market intelligence, if you will, forecast.

13 **Q. With respect to the fuel prices, I'm assuming**
14 **you started with kind of your current contracts for fuel**
15 **prices. Is that accurate, or do you know?**

16 A. Yeah, so it depends on the term. If you're
17 looking at '25, '26, '27 on here, obviously you have
18 coal under contract, and so yes, you are using the
19 actuals. And so, then our experts in fuel procurement,
20 folks at the plant, the commercial operations people,
21 they -- they all get together and look at what is
22 the -- what do the markets for these products look like?
23 Where are they trending? What are they seeing? What is
24 the supply and demand? And they come up with how -- how
25 the forecast goes from -- how does the forecast trend

1 from actual costs you have on the contract, to forward.

2 Q. And when I meant -- sorry, that's what I
3 meant. Like in the early years you're kind of tying it
4 more closely to your current costs. And then you're
5 projecting changes out to the future. And that's what
6 that team did?

7 A. Yes, sir. You're -- you're only using
8 estimates when you don't have actuals.

9 Q. So with the revenue, how did you -- well, I
10 guess let me just kind of start here. The -- how do you
11 determine -- you're basically going to compare the
12 variable cost against the cost of energy in the market.
13 And if the variable cost is equal to or less than the
14 cost of energy in the market, then the production cost
15 in this situation would've dispatched Mitchell; is that
16 accurate?

17 A. I think it's accurate. But it's very
18 simplified, right. So the production costing is --
19 looking at it, you know it's not just a spreadsheet
20 exercise. It's looking at the actual operational
21 parameters of that unit. And so if it can only ramp X
22 megawatts an hour, that's taken into account.
23 If it -- if it has a min downtime of three days after
24 it's been dispatched. So if it -- if you turn the unit
25 off for economics, based on the -- the forecasted LMPs,

1 you can't turn it back on for three days. So it
2 contains all the -- the same operational constraints,
3 you know. You can't just turn an 800 megawatt coal unit
4 on and off, hour by hour, in -- in a spreadsheet, you
5 know. Well, you can do it in a spreadsheet, you can't do
6 it in the real world. And so, the production costing
7 reflects that. And so, what I'd also like to point out,
8 like here on the market tab, what this is doing is it's
9 using the -- the market revenues there, which is the
10 forecast for LMPs at those times, as -- as the
11 replacement cost of energy, right? Because if you don't
12 have Mitchell, you're buying in market. You're buying
13 an LMPs. And as -- as my direct testimony states, it
14 says that for the market option, we replaced the same
15 amount of energy that we expect to get from Mitchell, to
16 make it apples to apples. So that's -- that's what
17 you're seeing here in this work paper.

18 **Q. And I get that. And I appreciate that**
19 **explanation about the operating parameters, you know,**
20 **being reflected. And I kind of understood that. I**
21 **guess, to get into more detail, like was -- when you did**
22 **the production cost modeling, or when they did, was it**
23 **looking at it on an hourly basis?**

24 **A. Yes, sir.**

25 **Q. Like every hour over what period of time, did**

1 they use? Did they do this full like period of 2025
2 through 2035?

3 A. Yes, sir, this run here is a hourly dispatch
4 analysis from 2025 through 2035.

5 Q. Okay.

6 A. Yes, sir. So a ten-year production cost run.

7 Q. And how did they determine the market price,
8 to compare against the variable cost of energy, to
9 determine dispatching, in this scenario?

10 A. Which market price, the LMP price?

11 Q. Yes.

12 A. Yeah. Right. So again, we have -- I think
13 we answered this in discovery. But we have
14 fundamental -- fundamental views. So fundamental
15 forecasts, and then we have short term production cost
16 modeling here. So typically the way the forecast for
17 LMPs works is, you start with a price for natural gas,
18 right. So what -- what -- where -- what are you
19 pricing? So in this case, probably some sort of liquid
20 trading hub, like AD Hub, the AEP Dayton Hub; PJM, RTO
21 electricity, right. And then what is your cost of
22 natural gas over this time period? And then
23 they're -- they're running again, a simulation of the
24 market. And what -- what is the estimate of the
25 marginal unit setting LMP based on demands in -- over

1 that period of time? And, you know, like -- like we
2 generally see in the PJM RTO and LMPs today, it's
3 a -- it's a 10,000 heat rate gas unit about, under
4 certain demand scenarios, times the gas price is how you
5 end up with LMP. So sorry, simplifying a very
6 complicated thing, but it's a -- it's a combination of
7 supply, demand, and underlying commodity prices to come
8 up with the LMP estimates.

9 Q. Sure. And I understand. If you could go back
10 over to tab -- well, actually let me -- yeah, go to
11 Tab -- or I'll just ask you quick.

12 MR. BELLAMY: You can stay on there, Justin.

13 BY MR. BELLAMY:

14 Q. Where you have the remaining, that book value,
15 or -- I'm sorry. You have the replacement energy on
16 that first table.

17 MR. BELLAMY: Go back to the first table just
18 real quick.

19 BY MR. BELLAMY:

20 Q. That 224,514, that will correspond to the
21 revenue on the market tab for that year; is that
22 correct?

23 A. That's correct.

24 Q. Okay. Does the revenue -- when Mitchell is
25 operating, does its operation always coincide with

1 **Kentucky Power's load?**

2 A. No, it does not. It -- it is -- Mitchell is
3 offered in economically, and it -- it dispatches to a
4 market signal. So as I discussed earlier, it's offered
5 -- regardless of where the power's load is, right, so
6 it's -- it's offered in every hour. We have a
7 must-offer requirement on the unit. Because it is the
8 units, the plant, because it's a capacity resource in
9 PJM. If it's more economic to purchase energy, meaning
10 that market energy is lower cost than Mitchell's
11 variable cost to be dispatched up, then the unit doesn't
12 dispatch up the company's load --

13 **Q. And I understand that.**

14 A. -- the --

15 **Q. Yeah, I understand.**

16 A. -- energy price.

17 **Q. Like you would make market purchases if the**
18 **variable cost offering Mitchell is cheaper, but --**

19 A. I think the opposite's true there. You'd make
20 market purchases if the -- they're cheaper than the
21 variable cost of.

22 **Q. Apologies. Yeah. You'd make market purchases**
23 **if the market price was cheaper than the variable cost**
24 **of operating Mitchell?**

25 A. Yes, sir.

1 Q. But there might be times when the market price
2 is higher than the variable cost of operating Mitchell,
3 but Kentucky Power doesn't actually need the load from
4 Mitchell in order to serve its customers; is that
5 correct?

6 A. Yeah, that -- that's correct. And so
7 those -- you're creating energy margins that are in that
8 scenario. And customers receive those back to the
9 system sales clause in Kentucky.

10 Q. And I get that. I guess in the alternative
11 where you're looking at market purchases, the revenue,
12 when Mitchell is operating, wouldn't necessarily
13 represent the cost of purchasing energy to serve
14 Kentucky Power's load; is that accurate?

15 A. So just to be clear, there -- there is no
16 Mitchell in Alternative 3. It is -- it is, how would
17 you replace the energy you would've received from
18 Mitchell? And so Alternative 1 includes that production
19 costing and that hourly dispatch over that period of
20 time. And say, Mitchell is going to run this much,
21 these hours, in these years, and it's all summed up in
22 that table we just looked at. And so Option 3 is
23 saying, all right, well I'm opting out of Mitchell under
24 Alternative 3, instead I will replace that same energy
25 and capacity with -- with market purchases. So you

1 don't have an option. So that's -- you would've
2 received power from Mitchell during these hours and
3 these amounts, you don't have that option now, so what -
4 - what does that cost to the customers.

5 Q. And I get that. The -- I guess the goal is to
6 serve customers - they are to serve Kentucky Power's
7 load at the lowest cost possible?

8 A. Uh-huh.

9 Q. You know, if Kentucky Power's load is
10 occurring, you know, when market prices are cheaper, but
11 Mitchell is still operating when market prices are
12 higher, but maybe Kentucky Power doesn't need that load,
13 then the revenue from Mitchell wouldn't necessarily
14 represent the cost to serve Kentucky Power's load.
15 Would you agree or disagree?

16 A. I -- I -- I disagree with you. The --
17 what -- what the customers are facing in that scenario
18 you gave is an opportunity cost. They would've received
19 those margins. But since you don't have Mitchell, they
20 won't receive those margins. So it's -- it's an
21 economic cost either way.

22 Q. Would you agree, under Alternative 3, it
23 doesn't include -- it includes -- what you've done is
24 estimate, you know, the cost of replacing Mitchell's
25 load. But it doesn't necessarily include the cost of

1 market purchases to serve load when Mitchell's not
2 operating; is that correct?

3 A. Can you state the question again, please?

4 Q. Yeah. You looked at the revenue that Mitchell
5 would generate to substitute for the cost of purchasing
6 replacement energy from the market. But like we said
7 earlier, Mitchell was not operating at all times
8 necessary to serve Kentucky Power's load. And so this
9 analysis doesn't reflect the cost of market purchases to
10 serve load when Mitchell isn't operating?

11 A. So the -- the company's -- what -- what these
12 analyses show, when the company's asking for approval of
13 in this case, is: What do we do with this increment,
14 this amount of capacity and energy that is currently
15 served by the Mitchell plant in our portfolio? So you -
16 - we're not looking at all of the company's load or
17 capacity requirements for this analysis. It's strictly,
18 what is the best option for customers around the
19 Mitchell plant? And so as we show in this figure in
20 Alternative 1, is the lowest reasonable cost continuing
21 to take our interest from the Mitchell plant. And so
22 that's when you -- when you look at the Alternative 2,
23 Alternative 3, we're not solving for the -- the
24 company's entire energy and capacity requirements.
25 You're -- you're correct. It's -- it is comparing that,

1 apples to apples, to what it would get from -- from the
2 Mitchell plant.

3 Q. Okay. I'm looking at -- could you go to Tab
4 PPA?

5 A. That -- is this the --

6 Q. It -- there's some that's --

7 A. All right.

8 Q. -- redacted. I'm going to try to stay away
9 from the redacted. If I ask a question that would
10 require you to, like, get into confidential information,
11 you can tell me. And --

12 A. I think we can avoid it.

13 Q. Yeah. I really just kind of want to get into,
14 like, what these numbers are. I don't know -- the
15 amounts there that are blacked out, like, next to 450
16 and next to 500?

17 A. Yes.

18 Q. Is it confidential to characterize what those
19 amounts are?

20 A. No, just --

21 Q. Okay.

22 A. -- just the amounts that were bid.

23 Q. Okay.

24 A. The prices are what's confidential and the
25 resources.

1 Q. That's what I thought. So those are capacity
2 costs that are redacted from the public file; is that
3 correct?

4 A. That is correct.

5 Q. Okay.

6 A. So it --

7 Q. And you can see there's a per kilowatt or
8 dollar kilowatt per month, and then you turn that into
9 kind of an annual number there?

10 A. Yes, sir.

11 Q. And I might ask this as a post-hearing because
12 -- so we don't have to go in depth into the confidential
13 file and things like that. But I know you all have
14 produced, like, kind of some of the RFP responses. And
15 some of the other redacted information kind of reflects
16 what units these are representing, I think, from the RFP
17 responses?

18 A. They do. Yes.

19 Q. And that per kilowatt month price, would you
20 be able to tie that to the specific document in the RFP
21 responses that reflects that price? And I believe some
22 of them -- well, I don't want to go into anything
23 confidential, but maybe tie it and kind of explain, you
24 know, how it ties to that -- the number that's in the
25 RFP response.

1 A. So maybe I can explain to you what it
2 represents and how -- how it functions in this. That
3 will help.

4 **Q. Yeah, go ahead.**

5 A. So these -- these are both -- both options --
6 you know, as I discussed in my testimony, we -- we
7 looked at -- there's an economic ranking that was
8 already done for evaluating the RFP, right? And we
9 didn't -- we didn't look at anything that was less
10 economic than Bright Mountain because we already filed
11 for approval of Bright Mountain. That Renewable Energy
12 Purchase Agreement, it was denied, so I didn't think it
13 was prudent to consider options that were higher costs
14 than what had already been denied. So we looked at the
15 options that were still available to us above -- that
16 were more economic, less cost than -- than Bright
17 Mountain. And so those were two different combined cycle
18 plans, and the blacked out information -- so that
19 capacity cost is essentially like a demand payment or
20 some people might call it a poll, you know, but it's
21 how -- how much in fixed cost do you have to pay the
22 owner each month to receive energy at cost? And so
23 that -- that is expressed and a dollar per KW month bid
24 price. So you pay that every month, regardless of
25 economics of the energy, but then you are entitled to

1 the energy if it is economic. And so they --

2 Q. It --

3 A. Sorry.

4 Q. No, go ahead.

5 A. Just going to say -- and then -- so you
6 have -- the other side of that is the energy margins
7 there. So it's assuming that the analyses, the evaluated
8 RFP, same type of dispatch analysis, they only
9 run -- the plant only runs when it's economic, and then
10 the energy margins lines we included. Here's -- here's
11 the net energy margin. So the -- the difference between
12 production costs, market revenues -- so that 2029 in the
13 top one there, the 41.9 million, that is the reduction
14 you would count against the fixed monthly payment you
15 made for your right to that energy.

16 Q. And I did have some question about the
17 margins, and I'll ask that in just a second.

18 But the capacity cost -- really, just what I wanted is,
19 like -- and I don't want to get into details about
20 what's in the RFPs and anything, but kind of tying it to
21 the number in the RFP and to the extent there's any
22 changes, you know, explaining that, you know, well, that
23 was an updated bid or something of that nature. I don't
24 even know if that's the case in these ones, but -

25 -

1 A. I -- I took it straight from the bids that
2 were provided to me from my commercial team.

3 Q. Okay. Well, perhaps I'll ask if you can, as
4 opposed to hearing, just tie it to the specific, because
5 there was significant amount of documents there, so it's
6 kind of hard to tie it out.

7 A. There are a lot of documents in RFP requests.

8 Q. And then you mentioned earlier about, you
9 know, expecting the PPA prices to increase. Could you
10 kind of just go into a little bit of detail about why
11 you think that would be? Kind of all the reason -- I
12 know you gave one. You know, there's the capacity
13 prices have increased. I don't know about energy
14 prices, you know, since they came in. And then any
15 other reasons that you think would cause the PPAs to
16 increase from what they were in 2023 or 2024 when they
17 were -- you know, if they were updated at that time.

18 A. So again, I -- I'll go back to our earlier
19 discussion that it -- it is a function of supply and
20 demand. And as we sit here today, there is a great deal
21 of public trade press, national news over increases in
22 demand in multiple RTOs, especially in the PJM RTO. AEP
23 has publicly stated the levels of load increases. It is
24 seen as recently as a few weeks ago in our Q3 earnings
25 call. There -- there's a lot of public press on

1 increases in electricity demand in our states, across
2 the nation, in the RTO. And so you -- you have demand
3 coming online faster than you can match it with supply.
4 And so Econ 101, the price of the underlying thing
5 you're solving for with the supply and demand is going
6 to be higher. And so your incumbent generators, they're
7 seeing the same news we are and the price for their
8 product is going up, right? They do not have to bid it
9 to us. They can continue to sell it to a market. They
10 know they're going to get no less than \$329 a megawatt
11 day in these -- these next couple capped RPM options,
12 you know, but for that, it might have gone to the tariff
13 cap that was \$690 a megawatt day. Who knows where
14 that's -- that's going to go. So again, it's -- it's
15 basic supply and demand, you know, and -- and also
16 confusing or clouding the supply side, are those
17 environmental regulations, right? Because new -- new
18 gas plants -- and I think we -- we discussed this in one
19 or more discovery requests that new gas plants are, in
20 theory, capped at a 40 percent -- a new combined cycle
21 plant is capped at a 40 percent annual capacity factor,
22 right? So if the market -- market economics might
23 dictate that -- that plant would run at 80 percent
24 capacity factor, but the environmental regime would
25 limit it to 40. So in theory, you have to build two of

1 the same plant to get to where you were previously. So
2 there -- there are a lot of converging supply and demand
3 changes here. You know, it's -- it's -- it's pressure
4 from both sides. So it is -- we -- we've seen it
5 in -- say, we -- we -- we saw it happen in real time in
6 this RFP as we got initial bids in, rebids as we
7 discussed earlier after the environmental regulations,
8 so --

9 **Q. How have energy prices changed since 2023?**

10 A. How so? Like in what term?

11 **Q. Within PJM?**

12 A. I mean, I -- I don't have exact figures, but
13 you -- you can go out -- the -- the market monitor in
14 PJM provides quarterly reports. I mean, I think this
15 last summer, in general, energy prices were higher year
16 over year. Just a function of higher -- higher average
17 demands in the market. So if everything else was even -
18 - not certain it was. Let's say you had relatively the
19 same gas price year over year, but you just had more
20 demand, so you went farther up the supply stack.
21 You know, you're -- that -- that's how the RTO
22 functions -- is that the -- the marginal cost to produce
23 the marginal generated -- marginal megawatt hour
24 generation is what all generators receive. And that's
25 the -- the hourly system energy price.

1 Q. Could -- I'll probably do a post-hearing
2 request to kind of request that kind of year-over-year
3 change in energy price over the last couple of years.

4 A. It is publicly available on PJM's website as
5 well.

6 Q. Sure. Just to kind of get it in the record
7 and make sure that we're looking at the correct thing.
8 Similar with the capacity prices -- and I can do this as
9 a post-hearing request so as not to go into confidential
10 information, but I know there were kind of two thermal
11 units that were being looked at and I don't know whether
12 or not, you know -- I know your requested updates in
13 2024. I don't know if those, you know, got an update,
14 but would you be able to kind of give a response that
15 looks at the change in the demand or capacity cost, that
16 per kilowatt per month, and compares it -- you know,
17 from the 2023 to 2024, to the extent there was a change,
18 and compares it to what the base residual option
19 capacity price was in 2023 and 2024, or whatever would
20 be the closest, you know, corollary price? And I guess
21 would that be a possibility?

22 A. I'm not sure what you're asking, but maybe if
23 you put it on paper, we could --

24 Q. Okay.

25 A. -- think about it but --

1 Q. More so just like, what were the base residual
2 auction prices, you know, that you would correlate most
3 closely to the timing of the initial bids. And how did
4 the initial -- the change in the initial bid, if at all,
5 you know, correspond to the base residual auction price
6 in the next year.

7 A. So -- so again, the update in the bid prices
8 was from the environmental rigs being proposed --

9 Q. Okay.

10 A. -- being promulgated after -- after the bids
11 were received. So hey, these -- these are now a new
12 law. We don't want someone arguing change in law
13 against us, so please bid -- thermal bidders that are
14 impacted by this potentially refresh your bids.
15 That -- that is what was done. It's what we received.
16 During that same period of time, there was a BRA clear
17 that went to the -- roughly \$220 a megawatt day. And
18 then since then, there's been the 26, 27 auction that
19 cleared the \$329 market cap. Those two --

20 Q. And I'll put it in writing, but -- and I
21 understood it was because of the DHD rules. Obviously,
22 those rules then potentially affect the base residual
23 auction price. So I'm just kind of asking -- and you
24 know, if you want to explain why those aren't connected,
25 you know, feel free to do so. But I'll ask it in the

1 post-hearing request.

2 A. Okay. Thanks.

3 Q. We asked as a -- in Staff Ford's request for
4 information, we asked kind of how the energy margins
5 were calculated, and it was Staff Ford's Request Item
6 2G, and it was -- the question was explained how energy
7 margins in Excel Line 8 and 4 of Tabs PPA of --
8 referring to this document, Public Attachment 1, "were
9 calculated and provide work papers for those amounts in
10 Excel spreadsheet format with all formulas. If the work
11 rates have been produced, identify the portion of those
12 work papers. In the record, reflect any calculation of
13 those amounts." And the response was, "These energy
14 margins were calculated during the process of analyzing
15 the company in 2023, all-source RFP, to determine
16 relative rankings among proposals. The margins were
17 calculated by multiplying the expected generated energy
18 for a given year by the forecasted energy price, less
19 the power production costs." And I guess my question on
20 that is -- "Multiplied by the expected generation --
21 expected generated energy in a given year," is that the
22 expected generated energy from the resource that is part
23 of the PPA or was it related to Mitchell in some way?

24 A. It was -- it was from each of those PPA
25 resources, right? So as I described earlier, you're

1 receiving -- you're paying a fixed charge each month to
2 receive a call on that energy from -- produced from that
3 plant at cost. And so the same type of production
4 dispatch analysis was done in the model -- the PLEXOS
5 model, I believe. It then said, well, based on these
6 costs that we've been given in the RFP -- right, that
7 was part of the RFP bid. Provide us your -- your
8 variable cost estimates and all of your -- your -- your
9 heat rate, all of your operating characteristics of the
10 thermal resource you're bidding. And so what --
11 how -- how does that dispatch over this period of time?
12 What market revenues does it produce? What variable
13 cost does it produce? The net of those are the energy
14 margins. So it -- it is from each resource, not from
15 Mitchell, right?

16 **Q. Okay.**

17 A. Because if you're -- you're paying the -- the
18 fixed cost to have that call from that resource, you're
19 going to take the economic energy whenever you can get
20 to produce -- produce margins, buy down the cost of the
21 resource.

22 **Q. I guess if that's the case -- and I guess**
23 **these aren't confidential. You have, like, the UCAP for**
24 **the resources at issue here?**

25 A. That's right.

1 Q. I mean, these are substantially smaller than
2 Mitchell; would you agree? Or not substantially, but
3 they are smaller than Mitchell from a UCAP perspective;
4 is that correct?

5 A. The -- the amount of the plants bid, yes.
6 I can't remember if the plan itself was --

7 Q. Yeah.

8 A. -- plants in question were larger, smaller,
9 same size as Mitchell, but there -- there were segments
10 of plants bid.

11 Q. But when you're getting the energy, you're
12 getting the energy that's associated with that capacity,
13 right? Or --

14 A. Yes, sir.

15 Q. Okay. So you know, to compare it to Mitchell,
16 would Mitchell -- do you know if Mitchell would generate
17 more or less energy in each year?

18 A. So as I stated earlier, these two resources in
19 question, the PPAs, the -- the highest economic ranked
20 thermal bids were both combined cycle units. And so in
21 a low gas environment, generally speaking, a combined
22 cycle unit has a pretty low heat rate. It will dispatch
23 -- if you're not constraining it -- it will dispatch
24 more than -- than a coal unit. That's -- that's what
25 we've seen. And again, go -- if we go back to that same

1 state-of-market report we discussed earlier and
2 discussed with the Sierra Club's attorney, it'll show
3 you, like, by -- within that report, you can generally
4 see that by different fuel types, different
5 configurations, there's class averages of expected
6 capacity factors. So -- so yes, these two resources
7 specifically generated at higher capacity factors.
8 I don't have -- I don't think you can see in here
9 offhand in this summary what the total full NWH produced
10 were.

11 **Q. And I understand it might be a higher capacity**
12 **factor, but if it's a smaller unit, even it's a higher**
13 **capacity factor, you might be talking about different**
14 **amounts of energy and/or energy that matches up better**
15 **or worse than Mitchell does to Kentucky Power's load; is**
16 **that correct?**

17 A. I mean, if -- if there was some economic
18 advantage, it would've showed itself in the analysis.
19 So if you're -- they're all dispatching under the
20 same -- same regime, you're comparing -- you're offering
21 them into the market economically and you're letting the
22 market dispatch them economically. So they're --
23 they're running when it's economic to do so and
24 providing value to customers. And the bottom line is
25 these units, unconstrained, did not produce a lower cost

1 to customers than did the continue-on with Mitchell, our
2 alternative ones, the lowest reasonable cost scenario
3 out of the analysis.

4 Q. And to be honest, I'm not even saying that
5 they would've been lower. I'm saying, you know, I know
6 your analysis indicates they're higher. I'm not, you
7 know, going to take a position more over than the other.
8 But my question really is: You know, in part, in order
9 to tie more closely to Mitchell, would you need a bigger
10 unit? And then would there be more costs associated
11 with this option?

12 A. You -- you could also just add the two
13 together. I mean that -- we -- we were looking at -- we
14 -- we -- we looked at -- we made everything apples to
15 apples from a capacity standpoint with both of them. So
16 I think, whether you combine them -- we averaged them,
17 you get to the same place. When you make it equal to
18 Mitchell, it's -- it's higher cost. And -- and that's a
19 function of the fixed payments that are blacked out
20 confidentially. Those are -- they're very high fixed
21 payments you have to make to get the entitlement to the
22 energy.

23 Q. Back to the -- when we had requested the work
24 papers, are there work papers associated with that or
25 are these costs physically calculated in the RFP

1 **responses?**

2 A. Say that again?

3 **Q. Because we kind of --**

4 A. Which --

5 **Q. -- asked for work papers showing the**
6 **calculation of those margins. And you referred and said**
7 **that it was part of the analysis of the RFPs. Are there**
8 **actual work papers showing the calculation of those**
9 **margins or were these margins provided in the RFP**
10 **responses by the respondents?**

11 A. No. The respondents provided -- provided
12 inputs. So --

13 **Q. Okay.**

14 A. -- heat rate -- basically all of your
15 operational characteristics of the plant in question.
16 There -- there are similar -- right. The analysis was
17 done, hourly production cost modeling. There are
18 summary spreadsheets. I -- I do not have -- I cannot
19 produce a work paper at the hourly production cost.
20 You'd have to come look in PLEXOS somewhere. But no,
21 there -- there are similar summary sheets to these,
22 right. The company evaluated the economics. They're
23 not taking the -- the bidder's word for it.

24 MR. BELLAMY: Go to the market ad.

25 BY MR. BELLAMY:

1 Q. Would there be -- with respect to those
2 margins, is there something equivalent to this work
3 paper that shows the generation from Mitchell, the
4 revenue from Mitchell, and then the variable costs from
5 Mitchell?

6 A. Yes.

7 Q. Okay. Would you be able to produce that for
8 those two options as opposed to your data request?

9 A. Yes.

10 Q. Okay. Offhand, do you know the annual amount
11 that each one of those PPAs was generating on a, I
12 guess, gigawatt hour basis?

13 A. No. I do not.

14 Q. I just didn't know if you know how closely it
15 corresponded to Mitchell.

16 A. Not offhand.

17 Q. Sorry. I'm just -- I think I've asked these.
18 I'm scratching something down. You can tell me if this
19 is confidential. We mentioned, kind of, the two options
20 that were --

21 MR. BELLAMY: If you could go back to the tab
22 PPA, I guess.

23 BY MR. BELLAMY:

24 Q. There were, kind of, two PPA responses that
25 you used to calculate these amounts and then get the

1 average. Are the two PPAs that you use there -- are
2 they still available? Like, if you wanted to obtain the
3 capacity of energy from those units related to those
4 PPAs in 2029, could you even do so at this point?

5 A. I don't know.

6 Q. Okay.

7 A. I mean, they certainly wouldn't be available
8 at that price. You'd have to go through a new -- a new
9 RFP, solicit new bids.

10 Q. Okay. And the RFPs, how long -- when they
11 make the offer, how long are they -- the offers open for
12 typically?

13 A. There -- there's a timeline in each RFP and
14 they're all -- they're all a little unique, so I -- I
15 don't want to generalize. Each -- each procurement's a
16 little different. So it will state in those RFPs, bids
17 are due by this date. Company will evaluate and notice
18 shortlisted bidders by this date. The company will then
19 negotiate. Then they'll produce -- you know, they --
20 they will shoot to have a regulatory filing by this date
21 so that prospective bidders understand the timeline and
22 what -- you know, how -- how -- because when they
23 participate, they're essentially taking their -- their
24 plant off the market, right. So if they're bidding to
25 you and they're negotiating with you and your regulatory

1 filing, it's -- you're costing them something.

2 Q. So all those dates have passed. So to the
3 extent you wanted to try to get these units, you'd, kind
4 of, do a new RFP. So really, these are just used as
5 example pricing; is that correct?

6 A. They -- they are indicative actual bids into a
7 thermal -- thermal RFP, yes.

8 Q. Subject to all your testimony about potential
9 changes since 2023 and '24?

10 A. That's right. They're -- they're
11 conservatively low estimates. Yeah.

12 Q. I don't want to get to the terms of these
13 particular offers either, but is it typical for these
14 thermal PPAs -- for it to be possible to obtain them for
15 just three years? This -- you know, this chart shows
16 three years. Is that typical or would you typically
17 need to do them for longer? And if you did them
18 for -- I know this is, like, a three-part question, but
19 if you did them for a shorter amount of time, you know,
20 would that -- how would that affect the price?

21 A. So I -- I -- I just can't answer you. I don't
22 know if there -- anyone would contract for three years.
23 I know the bids in this RFP were for longer periods than
24 three years, and we used the pricing because we had it
25 available to us.

1 Q. Okay.

2 A. So I -- I can't tell you right now, in today's
3 market, if someone would contract for you -- with you
4 for less or more based on a three-year term versus a
5 ten-year term or a 20-year term, right. I -- I -- I'd
6 say, generally speaking, you know, especially if you're
7 subject to potential future regulation on your
8 emissions, the longer the term, the more risk you have,
9 if you're -- if you're providing a fixed price demand
10 charge, if you will, to an off-taker.

11 Q. Sorry, I'm just trying not to repeat things
12 here.

13 MR. BELLAMY: I am going to pull up -- could
14 you pull up AG11, Attachment 2.

15 UNIDENTIFIED SPEAKER: Is it this one?

16 MR. BELLAMY: Yes. That looks -- and if you
17 could go to the OPCO Rev requirement.

18 BY MR. BELLAMY:

19 Q. I'm looking at line -- if you can see that,
20 this is Kentucky Power's response to AG11, Attachment 2.
21 All right. Are you familiar with this spreadsheet?

22 A. Yes. This is --

23 Q. Okay.

24 A. -- my regulated cost of service model.

25 Q. Okay.

1 A. My team and I use this for many different
2 evaluations of regulated generation assets.

3 Q. Okay. So Line 36, Columns B through D.

4 A. Yes.

5 Q. Says, "Net revenue requirement."

6 A. Correct.

7 Q. That reflects the annual cost of alternative 1
8 in 2029, 2030, and 2031 that are reflected in that
9 table, AEV1, of your direct testimony; is that correct?

10 A. That is correct.

11 Q. Okay. Does this include the ESM, O&M, and the
12 -- or does this include the environmental surcharge O&M
13 and the environmental surcharge rate base?

14 A. So it -- it includes -- as it shows on there
15 on -- on Page 3, it assumes -- it includes the -- the
16 catch-up payment explicitly from witness Kahn's direct
17 testimony. At -- at a higher level, the answer to your
18 question is yes, because it assumes, as I described in
19 my direct testimony, that we roll the plant balance
20 forward to 2028 and we get caught up. So it's a 50/50
21 allocation. And so the wheeling power -- the -- the
22 environmental rate base is already in wheeling power's
23 netbook value, and so roll everything forward based on
24 currently approved depreciation rates and the capital
25 forecast, and then you take 50 percent of it. So yes,

1 50 percent of our -- of the environmental rate base
2 would be associated with getting caught up is included
3 in this analysis.

4 **Q. I assumed it was. I was just trying to**
5 **confirm that it was because, you know, you've got base**
6 **rates and you had the environmental surcharge mechanism.**
7 **But to your knowledge, this includes the environmental**
8 **surcharge rate base --**

9 A. Yes, sir. Just to be really clear, like,
10 that's a total net revenue requirement. So like, we
11 know, like, in Kentucky, rate-making here, that number
12 will be broken into a number of mechanisms. We're just
13 trying to summarize it here and show, like, hey, this is
14 the total cost of service from the plant.

15 **Q. Okay. And does it include the return on and**
16 **the return of the 60.4 million catch-up amount for the**
17 **non-ELG investments?**

18 A. Yes, sir. So if you go back to the input tab.
19 So when you look at that initial CapEx number there, the
20 617 million, right. So that -- that includes the plant
21 investment we're talking about. So it's -- it's all in
22 there. And then if you go back to that OPCO Rev Rec
23 tab, Line 24 is the return on that rate base that the
24 company's currently approved after tax-weighted average
25 cost of capital. So you have all the plant included and

1 then you have the return on it and then you have the
2 depreciation expense on Line 14.

3 Q. For this spreadsheet, over what period is the
4 ELG capital cost? I'm not talking about the catch-up,
5 amount because I saw you had those reflected, you know,
6 going through 2031, but other than the catch-up amount,
7 what period is it being depreciated over? Is it through
8 2040, along with the rest of the plant?

9 A. I believe everything in this analysis is --
10 is through 2040. So the -- the -- the difference is
11 the -- on Line 33, the -- the amortization -- the
12 company's initial proposed amortization of catch-up
13 portion there, the wheeling power, much shorter than
14 what we agreed to in settlement.

15 Q. Yeah. If Mitchell was taken out of service at
16 the end of 2031, with the depreciation going through
17 2040, would there still be capital costs that Kentucky
18 Power would have to recover from its customers
19 associated with the ELG project?

20 A. So -- so to clarify your question, you're
21 asking if for some reason Mitchell stopped operating in
22 2031, just all together?

23 Q. Yes.

24 A. Okay. And you're -- you're asking that, and
25 under that scenario, would there be book value left to

1 be recovered from customers?

2 **Q. On the ELG project.**

3 A. I mean, unless -- unless it is amortized to
4 some shorter period, yes. There would be net book value
5 related to that the company --

6 **Q. I thought --**

7 A. -- covered. Yeah. I wasn't trying to trick
8 you or anything. I'm --

9 **Q. I just want to make sure it's --**

10 A. -- just want to make sure I'm clearly
11 answering your question. That's all.

12 **Q. Would the return on and the return of the**
13 **amounts associated with the ELG project start to be**
14 **reflected in rates for service beginning January 1st of**
15 **2026, based on this application where the environmental**
16 **surcharge mechanism is effective January 1st of 2026?**

17 A. Just to clarify, the return on and of the
18 totality of the catch-up or just the environmental
19 plant?

20 **Q. Both, I guess. But let's just stick with just**
21 **the environmental plant and not the catch-up.**

22 A. Yeah. Right. So I got to point back to
23 Witness Wolfram. He discussed this a little bit
24 earlier, right? So you have -- you have two portions of
25 that. General, \$138 million of -- of capital to get all

1 the caught up in Mitchell we've talked about. And this
2 proceeding included in Company Witness Kahn's revenue
3 requirement, and what we're asking for recovery of is
4 the environmental portion of that. Environmental
5 Compliance Plan and environmental surcharge. So those
6 costs would go in if this was approved whenever we
7 notice they would, I believe it's January. Yes.

8 **Q. Yeah.**

9 A. So you have that. We are asking for prudence
10 of the entire investment and, you know, they -- the
11 Company Witness Wolfram, has discussed how the company
12 might propose to collect or get into rates, the other
13 portion, the non-environmental piece of the catch up.

14 **Q. Going back to this spreadsheet, over what**
15 **period that -- now I'm talking about that 64 or 60.4**
16 **million in non-ELT capital investment, is that also in**
17 **this spreadsheet? It's included and it's being**
18 **depreciated through 2040; is that correct?**

19 A. Yes, sir.

20 **Q. Okay. So that amount -- my understanding is**
21 **that amount would -- you're proposing that -- that**
22 **amount would be -- how it would be recovered would be**
23 **determined in the current rate case, which has an**
24 **approximate effective date of March 2026. Does that**
25 **sound accurate to you?**

1 A. I -- I don't have a specific proposal on that.
2 I believe it's whatever the Company Witness Wolfram
3 indicated earlier today.

4 Q. Okay. If you assume that it is -- let's just
5 assume that it's the first quarter of 2026 when
6 that -- you know, that was already being recovered.

7 A. Sure.

8 MR. BELLAMY: Could you go back to the -- I'm
9 sorry. The public attachment 1. Or, actually, no,
10 you can leave it right there.

11 BY MR. BELLAMY:

12 Q. I guess, if we're looking at those three down
13 there in Line 36, year one, two, and three, that's what
14 was included in the Alternative 1. If we wanted to
15 compare Alternative 1 against Alternative 2 and 3, would
16 you need to include the revenue requirement effects in
17 2026 through 2028 and then the -- that plant service
18 that would remain after 2031 to kind of compare them on
19 an apples to apples basis?

20 A. No, that -- that's already been done in here.
21 So whatever -- right. Whatever your operating expenses
22 are, they are during those periods. The capital is
23 inclusive of all those things, assuming that you do get
24 -- you do get approval to roll that into rate base, make
25 that investment in 2026 or whenever this application is

1 approved here in 2025. Then you roll the whole plant
2 forward based on those depreciation rates currently in
3 place and the other capital investments, the maintenance
4 capital, things that Witness Snodgrass discussed
5 earlier. And so you get to an end of '28 rate base
6 because we're evaluating '29 through '31 in -- in this
7 application, right? So you're -- you are going to have
8 impacts, but it doesn't change the cost in '29, '30, and
9 '31 here. Like, all of those things have been accounted
10 for.

11 **Q. Right. Don't we typically want to look at the**
12 **overall cost to rate payers?**

13 A. I certainly agree. But your costs in '26,
14 '27, and '28 don't -- they don't have an impact on what
15 you do in years '29 through '31. Like we're trying to
16 make a decision here on what's most economic for
17 customers. And you're right, you might have to spend
18 some money to get there. But if you -- if you don't
19 spend that money now, this option isn't available to
20 you. So when you --

21 **Q. Well, I guess, let me just -- a hypothetical.**
22 **And I know there's tons of variables. You can look at**
23 **lots of different things. But, you know, it -- let's**
24 **say the analysis in -- from 2029 to 2031 came out and,**
25 **you know, there was Alternative 4 and it was \$20 million**

1 more expensive in those three years. If -- but
2 Alternative 4, you wouldn't incur any revenue
3 requirement effect from 2026 to 2028. If there was \$40
4 million in revenue requirement effect from 2026 through
5 2028 in Alternative 1, could you say that Alternative 1
6 is cheaper, even though you're incurring those costs
7 from 2026 to 2028?

8 A. I'm not sure I can answer your hypothetical.
9 There's not enough information in it. I don't know what
10 Option 4 is, but I don't --

11 Q. Well, I guess --

12 A. -- have an Option 4.

13 Q. I guess I'm a little confused and -- well, let
14 me ask this question. Like, in table -- in your direct
15 testimony, Table AEV2, you looked at the net present
16 value revenue requirement effects of various
17 alternatives; is that accurate?

18 MR. GISH: Okay. Mr. Bellamy, if we get into
19 the actual numbers, we need to --

20 MR. BELLAMY: Oh, yeah. I wasn't going to talk
21 about the numbers.

22 THE WITNESS: We looked at the low lost cost of
23 energy, the present value revenue requirement,
24 average annual revenue requirements, and the upfront
25 capital costs.

1 BY MR. BELLAMY:

2 Q. Okay. What's the purpose of, I guess, looking
3 at the net present value revenue requirement there?

4 A. Mostly because people like seeing them.
5 I -- I personally think the important one is the average
6 revenue requirement, because that is what hits customer
7 bills. You know, when you look at MPVs or present
8 values for -- for, one, live assets, they can be heavily
9 influenced by commodity curves that are 20 to 30 years
10 out. And our customers, you know, frankly don't care
11 about what happens 20 years from now, they're worried
12 about their bills in the short term; what is going to
13 happen to them. So I -- I personally prefer the annual
14 revenue requirement metric when I'm analyzing cost to
15 customers.

16 Q. I guess to that point, you know, if you're
17 looking at the short term -- you know, if Alternative 1,
18 in the short term, you know, would require an additional
19 revenue requirement effect in 2026, 2027, and 2028,
20 would that be important to consider when looking at the
21 cost of the alternatives in the short term?

22 MR. GISH: Mr. Bellamy, I just have a question.
23 You're talking about Alternative E1?

24 MR. BELLAMY: No. I'm talking about back --
25 the short term Alternative 1.

1 MR. GISH: Got it.

2 THE WITNESS: Yes. So I think I see what
3 you're trying to ask here. And so again, if the
4 company has -- has noticed and has quantified
5 those -- those amounts, the cost to customers in
6 '26, '27 -- at least in '26, I think it's a
7 representative amount. And Company Witness Kahn had
8 -- had those in her testimony. We didn't ask her
9 any questions, but I -- I don't have her numbers in
10 front of me. But those, again, let's -- let's look
11 at the alternatives in Table 1. There -- there's
12 not over \$100 million of cost in - - to customers in
13 years '26, '27, and '28 under Alternative 1.
14 It's -- it's a much -- much smaller amount.
15 It's -- it's nothing that changes the company's
16 conclusion that continuing to receive its energy and
17 capacity share from the Mitchell Plant is the lowest
18 reasonable cost alternative.

19 BY MR. BELLAMY:

20 Q. And I'm not necessarily saying, I understand
21 that you could still justify it. I'm just trying to
22 understand what cost should be looked at when justifying
23 it. And, you know, if you have -- if one alternative
24 would result in costs, you know, in the next three
25 years, the other two wouldn't. And then one alternative

1 would reserve costs, you know, of an -- you know,
2 essentially is not cost that 2031 that hasn't been
3 collected. One way to account for that and compare the
4 three alternatives would be to do a net present value
5 revenue requirement analysis on all three. Would that
6 be correct?

7 A. I mean, that could be your opinion. I don't
8 necessarily agree with you. I think what we've done
9 here is the right way to evaluate this for customers for
10 the time frame in question. And trying to put all these
11 options on an apples to apples basis is what we did. We
12 -- we have included the costs for the environmental
13 surcharge and the Environmental Compliance Plan in -- in
14 this filing. So I guess we have to agree to disagree
15 there. There -- there's no material -- there's no
16 material revenue requirement impacts that change the
17 answer, I guess is -- is my testimony.

18 MR. BELLAMY: Could you pull up -- I did have a
19 question about a couple confidential items.

20 COMMISSIONER HATTON: On confidential record
21 now?

22 MR. BELLAMY: Yeah.

23 COMMISSIONER HATTON: Okay. Candace?

24 MS. SACRE: We're on confidential.

25 COMMISSIONER HATTON: All right. We're

1 confidential.

2 (Confidential Portion II redacted.)

3 MS. SACRE: We are on public, Chair.

4 COMMISSIONER HATTON: All right. We are back
5 on public record after asking some questions from
6 the confidential record and staff.

7 BY MR. BELLAMY:

8 Q. Could you just tell me -- we -- there was talk
9 earlier, you know, about the uneconomic dispatch of
10 Mitchell. Did you consider, I guess, recent incidences
11 in which Mitchell has operated on an uneconomic basis?
12 Meaning that the variable cost of production were higher
13 than the market price when you were developing these
14 margins?

15 A. So I guess first off, I'm going to push back
16 on the premise of your question. I -- I don't agree
17 that there has been uneconomic dispatch at the Mitchell
18 plat. That's been my testimony and the company's two-
19 year fact review here. It's been our testimony in West
20 Virginia, and I just -- I disagree that it's occurred.
21 What -- what has happened is that the plant has remained
22 online, dispatched down to minimum, right, so the plant
23 is run in a continuum megawatts. It's not just -- like
24 we discussed earlier, you can't just put them on, put
25 them off, and so, the plant will run at minimums and

1 then be dispatched up economically during the day when
2 prices are higher, right. So if you need the plant
3 tomorrow, but you only need it -- PJM needs the plant
4 tomorrow from, let's say. 11:00 a.m. to 8:00 a.m., you
5 can't -- but it's - but it's going to run -- the -- the
6 variable cost overnight is less than Mitchell variable
7 cost, but you can't turn it off, right. Once you turn
8 the plan off and you ramp it off, it is down for three
9 days, as I discussed with Mr. Snodgrass earlier. And
10 it's -- you incur a very costly start. So when you take
11 -- take all these -- and you have wear and tear on the
12 equipment. Things -- you get these -- like this
13 equipment becomes very hot; then you cool it down. It
14 expands, contracts. It causes more - - the more you
15 cycle the unit, the -- the more maintenance you end up
16 spending on the unit. And so when you are taking into
17 account the economics of dispatching that unit, it is
18 not just the hourly energy price versus the variable
19 cost. Like that is a very it's a very narrow view, and
20 it's not -- it is not the full picture of cost to
21 customers. Right. I mean, some of these starts --
22 costs -- you know, you're upwards of a million dollars
23 to start the unit. Right. And so if -- if they're going
24 to need it the next four afternoons, you're not just
25 going to turn it off. And so that -- with that in mind,

1 do -- do you have more questions on that?

2 Q. Yeah. I guess you -- but you would agree,
3 though there's -- you know, you say it's kind of
4 continue operating operate at minimums, but it's
5 operating at a time when the variable cost of operation
6 is higher than the market price for energy, correct?

7 A. In that hour, but again, I won't -- I won't
8 agree to that's uneconomic, because there's other costs
9 you have to factor in such as the cost of the start, the
10 cost of wear and tear up the unit, all those things.

11 Q. And that's why I was trying to narrowly define
12 it in that way.

13 A. Yeah.

14 Q. Obviously, someone -- you could take the
15 position there's a reason that we're getting it this way
16 and here's why. And I take it that's your position, but
17 as far as, you know, these margins here that are
18 reflecting this spreadsheet, does it reflect any
19 instances in which the unit is operating at a time when
20 the variable costs of operation are higher than the
21 market price at that time?

22 A. Yeah. Yes, sir. It -- it's -- it's a full
23 production cost run, so it's evaluating hourly LMPs and
24 those are shaped over -- over time, and it's -- it's
25 evaluating how the -- the unit actually operate. Like

1 it -- the software recognizes that you can't turn on the
2 600 megawatt coal plant on and off like a light switch,
3 so it's doing the same type of analysis at a much higher
4 more summarized level than like an RTO or a PJM dispatch
5 is doing and say, well, the price curve says I need to
6 dispatch the unit in the next five days in a row for 12
7 hours but then I wouldn't have it on. But I can't have
8 the plan available to meet load economically during
9 those times if I turn it off, because it's going to sit
10 for three days before I can restart it. So that --
11 that's all occurring in the production dispatch
12 analysis. So yes, it is running at a -- a negative
13 hourly variable margin overnight so that it can be there
14 to -- in this analysis -- to capture the -- the --
15 economic margins in those hours for the next case.

16 **Q. Can you provide that -- when this is run, it's**
17 **on an hourly basis, but I'm assuming you can get the**
18 **output on a monthly basis. Can you not?**

19 A. Yes, I can get it monthly.

20 **Q. Okay. Could you provide -- I'll do it as a**
21 **post hearing -- but this -- these production cost**
22 **results on a monthly basis?**

23 A. That are specific to -- just to make sure we
24 have it, specific to our response to AG11, Public
25 Attachment 1?

1 Q. Yes -- yes.

2 A. I believe so.

3 Q. And then I guess, is it possible to look at
4 the monthly actuals of how Mitchell has actually run
5 historically on a monthly basis with respect to variable
6 costs and revenue?

7 A. Yeah, I think -- I think we provide that in
8 every two year FAC case. I sponsored it last year. I
9 don't know. There's -- there's too many cases to keep
10 track of, but yes, we -- we've done that.

11 Q. Okay. I'll ask that as a poster hearing also.
12 And I had just --

13 A. I can tell you we have not prepared it for
14 this case, but it's a normal -- normal course in the
15 company's two-year FAC reviews.

16 Q. Okay. And I might look at that and maybe tie
17 it and ask for you to produce, you know, results that
18 you've already done as well as any other years that you
19 think would be appropriate. Just a couple more
20 questions. I'm almost finished. And thank you for your
21 time. Before I get to this, the revenue requirement
22 calculations for both the alternatives that had the 100
23 percent gas conversion -- I guess, any gas conversion of
24 Mitchell and also the natural gas combined -- well, I'll
25 ask for just Mitchell first. The conversion of Mitchell,

1 whether 100 or, you know, to 40 percent gas, did those
2 include the cost of gas pipelines to Mitchell?

3 A. So you're talking about the post 2031
4 analysis?

5 Q. Yes, sir.

6 A. Yes. So just -- just to be really clear in
7 that analysis, it is the gas pipeline cost, so running
8 the lateral to the plant is not included in the initial
9 capital, right. That -- because that's not Kentucky
10 Power or Wheeling Power Company's capital; that would be
11 the -- the gas provider's capital. And then included in
12 those analyses, there is an annual cost of firm gas
13 transportation, which encompasses the cost recovery of
14 the capital outlayed by the gas provider.

15 Q. Okay. And then as far as the 1200 megawatt
16 natural gas combined cycle, would -- was it anticipated
17 that would be located at -- actually let me -- I don't
18 want to go into anything confidential. I don't know.
19 I'll scratch that. I might ask that as a post hearing
20 request then.

21 A. I -- I guess I can tell you it helps
22 that -- yes, we also included a firm transport cost in
23 that. So assuming it's somewhere in that area where the
24 West Virginia Coal plants are currently, and here's --
25 here's the -- an estimate of similar firm gas transport

1 costs assuming someone's going to have to build a
2 pipeline to the new asset and can't cover those costs.

3 Q. Thank you. For the full tower pair option and
4 the shortened tower pair option, would the -- I'm sorry
5 to change gears on you, but I'm talking about the
6 cooling tower, the supplemental testimony.

7 A. Yes, sir.

8 Q. For the full tower repair option and the
9 shortened tower repair option, would it -- the tower
10 would remain in service while you're doing the repairs -
11 - the tower and the plant generally would remain in
12 service?

13 A. So you're saying full -- by "full tower," you
14 mean Option 1 in Table AEV SD1?

15 Q. Yes, sir.

16 A. Yes. So that -- that one -- that option
17 assumes that the plant and cooling tower remain in
18 service while -- while the -- that project happens. And
19 then by shortened tower, I assume you're referring
20 Option 4?

21 MR. GISH: I -- before you get too far, we need
22 to make sure that if we're going to talk about the
23 outage length, that needs to be in confidential
24 session.

25 MR. BELLAMY: Okay.

1 COMMISSIONER HATTON: Do we need confidential
2 session then?

3 MR. BELLAMY: I wasn't intending on asking
4 about that.

5 COMMISSIONER HATTON: Okay.

6 BY MR. BELLAMY:

7 Q. If you want to --

8 A. I think I can answer his -- the question
9 publicly.

10 Q. Yeah.

11 A. Option 4, no, you could not have the unit in
12 service while you did that.

13 Q. Okay. And with the new mechanical draft tower
14 option, would -- what would happen to the existing tower
15 if that option was pursued?

16 A. Yeah. Again, I think I can discuss this
17 publicly. So what -- what would happen is that you
18 would cut down or shorten the tower to a safe height,
19 where it could remain on site until -- until there was
20 an opportunity in the future for it to be fully removed
21 or decommissioned.

22 Q. Can you talk about the -- whether or not
23 there's a potential D Rate to Unit 2 in the shortened
24 tower scenario and the extent of that?

25 MR. GISH: Again, that's confidential.

1 MR. BELLAMY: Okay.

2 MR. GISH: We can talk about it. We just have
3 to go into a confidential session.

4 THE WITNESS: Yeah. I think I -- I talked
5 about that a little bit earlier in the first
6 confidential session, but ---

7 MR. BELLAMY: I think we'll -- if we need any
8 additional information, we'll do a post hearing,
9 I think. That's all the questions that I have.
10 Thank you.

11 COMMISSIONER HATTON: Okay. Commissioner Wood.

12 EXAMINATION

13 BY COMMISSIONER WOOD:

14 Q. I just wanted to ask a question about
15 the -- we've had a lot of references to confidential
16 information today, and I'm going to play my new
17 commissioner chip and ask why a lot of this information
18 is confidential given the fact that Kentucky Power has a
19 monopoly serving electricity in this market?

20 A. Okay. Great -- great question, sir. So what
21 we're trying to do is protect -- so these are all
22 potential future things we might engage in, right, and
23 the -- the worst thing you can do -- so when we -- we do
24 projects like this, we do request for proposals and we
25 competitively bid them. And so you don't want to tell

1 the world what you are estimating the project to cost
2 before you competitively bid it, because if you do that,
3 I imagine the lowest cost you're going to get is your
4 publicly announced assumed cost of that. Right. So
5 we're hoping that by not providing those costs publicly
6 that you -- you could drive savings for customers,
7 be -- be competitive in those procurements.

8 **Q. Okay. Very well. And I'm not looking at all**
9 **those numbers, so I can't get real specific about each**
10 **individual category, but just almost from an outsider's**
11 **point of view, I wondered why, you know, there wasn't**
12 **more transparency, but.**

13 A. And some of them also -- so like, when we were
14 discussing the PPA bids earlier, so like we have to sign
15 non-disclosure agreements with the parties so that they
16 will disclose to us what they're willing to transact at.
17 And so we -- we have to continue to honor those so that
18 they will continue to provide us options in the future.
19 Right. And they -- they have clauses in them that we
20 can show the regulatory bodies that we need to receive
21 approval of them, right. They're -- they're in line
22 with that. They just don't want us showing what they're
23 willing to transact at publicly because. Again, it
24 would harm them as well as our customers if everybody
25 knows, here's what we're evaluating, if there's a

1 potential to get something lower.

2 **Q. Okay. Got you. Can you tell me what the load**
3 **is for Kentucky Power's territory or how much**
4 **electricity has to be produced every year to serve that**
5 **territory?**

6 A. I think it's roughly give million megawatt
7 hours annually. I think our sales are in the -- are in
8 that range by the 6 million megawatt hours rated. And
9 then you have average -- average demand versus peak
10 demand. I think our average demand is somewhere in that
11 600 megawatt hours an hour range. Right. And then you
12 have peak -- peak demand over 1,000 megawatts peak. I
13 think Mr. Wolfram, in his direct testimony, has a chart
14 that shows like our -- our peak demands

15 **Q. And that demand cannot be met without**
16 **Mitchell? Is that your testimony or what the company's**
17 **saying today?**

18 A. It -- it -- it can be met. It will -- well,
19 our testimony is today is that without Mitchell, it
20 would be more expensive to meet the energy and demand
21 requirements of our customers. So that -- that's why
22 we're proposing Mitchell as the lowest reasonable cost
23 option.

24 COMMISSIONER REGAN: Can I -- because you would
25 have to buy off the market?

1 THE WITNESS: We would've to find something
2 else, right?

3 COMMISSIONER REGAN: Yeah.

4 THE WITNESS: And in very short order. So we
5 would essentially be going to the market --

6 COMMISSIONER REGAN: Or something else, yeah.

7 THE WITNESS: Go -- go -- whether it's the
8 market-market or it's the market for PPAs, we would
9 go to the world and say, Hey, we have a very big
10 need and a -- and a very short term here. And
11 again, it -- it's still -- it's still out three
12 years, but short term from a planning perspective
13 and what we have to provide to the RTO to show them
14 that we are going to comply with the -- the approved
15 tariff, the federally approved tariff to meet our
16 reliability requirements.

17 BY COMMISSIONER WOOD:

18 Q. And so are -- I guess, are -- is there more
19 than one reason that you have to keep Mitchell going and
20 is the other reason due to requirements that PJM has?
21 Is that what I heard you say earlier, is that you have
22 to have so much capacity in the bank, I guess, so to
23 speak, in case they demand some more resources to meet a
24 customer's need maybe somewhere else?

25 A. So -- so it's not necessarily for someone

1 else's customers, but each -- I guess what we -- in PJM
2 Engineering, they call Kentucky Power a load serving
3 entity, right? So they -- they participate in the
4 market as a load serving entity and as a generation
5 owner and a resource owner. And so in the load serving
6 entity, if you're serving load, you have to meet that
7 load's peak requirements plus a reserve margin. And so
8 like, you don't plan a zero. So like right now, we're
9 moving from about 15 percent reserve margin to about 18
10 percent. So reserve margins going up because the RTO is
11 worried about having enough supply overall to meet
12 demand so -- so there's that, and then -- can -- can you
13 ask your question about continued operation and Mitchell
14 again? I didn't quite get all that.

15 **Q. Neither did I, probably. I'm still trying to**
16 **get used to the whole RTO thing and some utilities**
17 **participate in it and some utilities, like KU LG&E**
18 **don't. And I'm wondering if this -- if working in the**
19 **RTO environment is good for the rate payers of Eastern**
20 **Kentucky, does this add to their cost of electricity or**
21 **would it be lower if you all did not participate in**
22 **that?**

23 **A. So -- so for the company here, so for Kentucky**
24 **Power --**

25 **Q. Right.**

1 A. -- AEP used to be its own control area going
2 back prior to entering into PJM in 2004, I believe,
3 which, you know, we used to do the same thing as LGDKU.
4 Right now, and which is a standard of day, my -- my high
5 level belief would be that it would be more expensive
6 for our customers to be served in that same fashion as
7 LG&E KU. Like, we just -- we don't have the same
8 breadths of resources. Like, they're a larger company.
9 So even when AEP was its own control area, Kentucky
10 Power was part of a pool, a federally approved pooling
11 agreement. So all of the AEP companies in -- in our
12 eastern interconnection participated in that control
13 area collectively so that they could share risks and
14 cost efficiencies. So I think -- I think that the
15 smaller you get from utility, the harder it is to
16 operate it, you know, as an hourly reliability area.

17 **Q. Okay. And did you say that KU LG&E is a**
18 **bigger company than AEP or bigger than Kentucky Power or**
19 **--**

20 A. They're -- they're much larger than Kentucky
21 Power. I -- I don't think -- I don't know the stats
22 offhand, but I don't -- I don't think they're larger
23 than -- from a customers and generation transmission
24 perspectives than AEP.

25 **Q. Very well. Thank you.**

1 COMMISSIONER HATTON: Yeah. Commissioner
2 Regan?

3 EXAMINATION

4 BY COMMISSIONER REGAN:

5 Q. Two questions for you. Just to go back to the
6 discussion that you were having with Mr. Shoaff
7 regarding the reporting structure, I think, from AEP to
8 Kentucky Power and to -- and how that works. So you
9 model for all the different subsidiaries?

10 A. Yeah. So my -- my team provides services to
11 all of our operating companies in 11 states. We -- we
12 cover a great deal of rate cases. But general rate
13 cases, so part -- part of my team is involved in the --
14 the general rate case that's going on right now. Working
15 with Mr. Wolfram. We -- we work on new generation CPCNs
16 across the company's 11 state footprint. Well, not all
17 of them are vertically integrated, but the -- the
18 vertically integrated states we do. We also work on
19 fuel and energy supply cost recovery for all of
20 our -- all of our states. So yeah, my -- my team covers
21 a lot of ground for all the op- cos.

22 Q. And when you do the analysis and you give your
23 opinion, are -- does -- you're saying the subsidiary
24 presidents, are they independent? They do what's best
25 for the company that they're president of? They're not

1 **directed by AEP --**

2 A. Yes, ma'am.

3 **Q. -- that they have to do this or it -- or do**
4 **they act independently?**

5 A. Yes, ma'am.

6 **Q. Okay.**

7 A. So like in this case, I -- in all these cases,
8 they -- they're -- they're providing us -- here --
9 here's the decision we've made, and now I need you as a
10 shared service employee to -- and your team, your
11 subject matter experts to produce this part of my case.

12 **Q. Okay.**

13 A. So you know, Kentucky Power told my team they
14 needed to do these analysis. So we did them. They told
15 my team that we're going to file a base rate case. So we
16 produced those schedules. You know, that's -- that's
17 how it flows.

18 **Q. Okay. And do you code your time then to the**
19 **different subsidiaries? Okay.**

20 A. I sure do. It takes a long time.

21 **Q. Because you have to -- okay.**

22 A. I have to do it Friday.

23 **Q. Oh, that -- yeah, it's not fun.**

24 A. Yeah. No.

25 **Q. And then just one last question, that if the**

1 commission were to disallow any of the specific cost
2 components to the settlement agreement, how would that
3 affect your recommendations?

4 A. You disallow any cost components in the -- can
5 you give me a specific example?

6 Q. Let's say that we did not -- let me just look
7 this. A repair option or something like that. Any cost
8 components that would cause some of your recommendations
9 to change?

10 A. I don't know. I think -- I think just in
11 general, I'd point you back to, like, my table, the ED1.
12 And even with everything we've discussed in here
13 throughout the litigation, it -- it's still by far the
14 lowest cost option for our customers. So -- and I think
15 that's -- as I sit here day, that's going to be my -- my
16 recommendation.

17 Q. Okay. Thank you.

18 A. Thanks.

19 COMMISSIONER HATTON: Is that it, Commissioner
20 Regan?

21 COMMISSIONER REGAN: Yeah. Sorry.

22 RE-EXAMINATION

23 BY COMMISSIONER HATTON:

24 Q. Okay. On direct, your counsel asked you some
25 questions and you talked about Mitchell -- the Mitchell

1 **Operating Agreement.**

2 A. Yes.

3 Q. And how, if one of the parties to the
4 operating agreement, so either Wheeling or Kentucky
5 Power, needed do an uneconomical dispatch, then that
6 would not be billed to the other party. And it's not
7 something the PSC would have to rule on. It would be an
8 intra-company decision. So I had planned to ask you,
9 should I assume that -- that's happened, but is your
10 position that it hasn't because there's not been an
11 economic dispatch?

12 A. There -- there's been no -- my position is
13 there's been no economic dispatch. And the -- the
14 companies, Wheeling Company -- Wheeling Power Company
15 has not been told by the West Virginia PSC to -- or
16 ordered by the PSC to dispatch the Mitchell plant to
17 some predetermined level of capacity. So the -- the
18 company, you know, as Mr. Snodgrass discussed earlier,
19 like, we have a production operations team or a
20 commercial operations team, they -- they have operated
21 that plant on -- on an economic basis for Wheeling Power
22 and Kentucky Power just as they would. So -- and -- and
23 I also don't think there's been any -- there's been any
24 different allocation of the costs or the energy revenues
25 from the Mitchell plant, other than 50/50 through the

1 operating agreement. It's -- it's been the capital that
2 has been disproportionately allocated, because after the
3 2021 ruling, where commission -- the company's
4 application to participate in the ELG project was
5 denied, right, there was a recognition that there was
6 some capital that was going to be used by the -- you
7 know, there was -- had a useful life of greater than
8 2028. So that -- that's how you started getting into
9 that disproportionate allocation of capital costs under
10 the agreement. But that's -- it's just happened for
11 capital. To my understanding, there's been no -- no
12 energy, no revenues, and no -- no allocation of that
13 other than
14 50/50.

15 **Q. I was just asking questions earlier about**
16 **times when there was too much coal on the ground. And**
17 **so Mitchell needed to burn the coal because they had to**
18 **accept delivery of other coal. And I know there are**
19 **storage restrictions. And so they had to go ahead and**
20 **burn even though it was not the best decision based on**
21 **market price at the time. So do you -- that's what I**
22 **was referring to earlier when I was asking about**
23 **uneconomic dispatch. That happens, right?**

24 **A. So I -- as I sit here today, I do not know if**
25 **the company has had to reduce its bids to undergo**

1 decrement pricing as we would -- we would
2 typically -- that's how we typically characterize it, to
3 control the physical level of coal on the ground. All
4 of those things generally get brought up and disclosed
5 in our two-year FAC reviews. The last one I
6 participated in, right, the opposite was true.
7 We were -- we were trying to get as much coal as we
8 could. It was for that '21, '22 period when commodity
9 prices were very high. I don't know the answer to your
10 question.

11 **Q. Okay.**

12 A. We're in 2022 right now, but -- and again,
13 just generally speaking, I -- I'll say that we -- we
14 always act from an economic -- what's economically
15 best for our customer's perspective, right?
16 So we have -- we have contracts for coal deliveries
17 based on our forecast -- our forecast of where we
18 think -- how much we think that plant is going to
19 operate. We -- we tend to -- we tend to abide by our
20 contracts. And so then we look at, what -- what are the
21 options available to us? Is it, keep the unit online
22 more? Is it the -- can we pay a liquidated damage?
23 Can we do offsite storage. Like, look at everything
24 available to us and make -- make the least cost decision
25 for customers there and --

1 Q. Yeah. I feel like that has been acknowledged
2 in the case record already, but if I need it cleared up
3 any further, I will send a post-hearing data request.
4 And that's all the questions I have. Is there a
5 redirect?

6 MR. GISH: I have two very quick redirects.

7 REDIRECT EXAMINATION

8 BY MR. GISH:

9 Q. One, earlier in Mr. Bellamy's questioning of
10 you regarding the 2023 rebid in 2024, you said that was
11 because the greenhouse gas rule was proposed. Isn't it
12 true that -- that was because the greenhouse rule was
13 finalized on -- in May 9th, 2024?

14 A. Yes. Wrong key word. I think promulgated was
15 the right word.

16 Q. Yeah. I wanted to make sure that we were
17 confusing that rule action by the EPA with the rule
18 actions that are kind of up in the air now. The other
19 question, and there was a lot of discussion from Mister
20 -- or questions from Mr. Shoaff about the alternative to
21 convert the power plant to 100 percent gas and the cost
22 of that. And then we had some discussion from
23 Mr. Bellamy that the various alternatives, E1 through
24 E5, and the various trade-offs and benefits of each of
25 those. Those are all at a future decision point,

1 correct?

2 A. Correct. That's not what we're here to talk
3 about.

4 Q. But we -- but the company can't get to that
5 future decision point without staying in Mitchell;
6 Is that correct?

7 A. That's correct. The company needs to caught
8 up to have its interest in Mitchell through 2028 to get
9 to that -- post-2028 to get to that decision point,
10 right?

11 Q. Okay.

12 MR. GISH: Thank you, Your Honor, that's --
13 those are the only questions I had.

14 COMMISSIONER HATTON: Okay. Any recross?

15 MR. SHOAFF: No ma'am.

16 COMMISSIONER HATTON: V Okay. That's good?
17 Yeah? All right. Any reason this witness can't be
18 excused? All right. Mr. Vaughn, you're free to go.

19 MR. VAUGHN: Thank you.

20 COMMISSIONER HATTON: And is anyone -- that was
21 your final witness?

22 MR. GISH: Yes.

23 MS. GLASS: Yes, Your Honor.

24 COMMISSIONER HATTON: Oh. Will we be
25 recalling -- does anyone have a reason to recall

1 Mr. Wolfram? Okay. Is that your case then?

2 MS. GLASS: Yes, Your Honor?

3 MR. GISH: Yes, Your Honor.

4 COMMISSIONER HATTON: All right. I don't know
5 which one of you is lead counsel. I'm sorry,
6 Ms. Glass.

7 MR. GISH: I'm sorry. It's her.

8 COMMISSIONER HATTON: I apologize. All right.
9 And so at this point we've had a request for a quick
10 break and then we'll come back and do the
11 intervener's witnesses.

12 MS. GLASS: Thank you.

13 MR. GISH: Thank you.

14 COMMISSIONER REGAN: Ten minutes?

15 COMMISSIONER HATTON: Ten minutes.

16 (A recess was taken.)

17 COMMISSIONER HATTON: All right. Back on the
18 record. Case Number 2025-00175. And let's see
19 Attorney General and KIUC, would you like to call
20 your witness?

21 MR. WEST: Yeah. Lane Kollen is here
22 virtually.

23 COMMISSIONER HATTON: All right.

24 Hi, Mr. Kollen.

25 THE WITNESS: Hello. Good afternoon.

1 COMMISSIONER HATTON: All right. I can hear
2 you, fine. Can you hear us, okay?

3 THE WITNESS: Yes.

4 COMMISSIONER HATTON: Oh, good. I hope
5 that --

6 THE WITNESS: Sounds much better.

7 COMMISSIONER HATTON: Oh, good. Thanks.
8 Jim is a miracle worker. We're lucky to have Jim
9 Rhodes. All right. Counsel, you may go.

10 MR. WEST: Mr. Kollen, can you state your name
11 and job title for the record?

12 COMMISSIONER HATTON: I better swear him.

13 MR. WEST: Oh, yeah. Let him hear it.

14 COMMISSIONER HATTON: Amateur move. Mr.
15 Kollen, would you raise your right hand to be sworn?
16 I bet you're raising your right hand, but I can't
17 see it.

18 THE WITNESS: Oh, I am, yes.

19 COMMISSIONER HATTON: Okay. Can you put it in
20 the view?

21 MR. WEST: Swears he is.

22 COMMISSIONER HATTON: Maybe put it in the view.
23 Put your hand in the view.

24 THE WITNESS: I see it.

25 COMMISSIONER REGAN: No, but we don't.

1 COMMISSIONER HATTON: Oh, there you go. Now I
2 can see it. All right. Do you swear or affirm that
3 the testimony you're about to give is true and
4 correct under penalty of perjury?

5 THE WITNESS: Yes.

6 COMMISSIONER HATTON: All right. Thank you.
7 Counsel.

8 DIRECT EXAMINATION

9 BY MR. WEST:

10 **Q. Mr. Kollen, can you state your name, job**
11 **title, and employer for the record?**

12 A. Yes. My name is Lane Kollen. I'm the
13 president and a principal of J. Kennedy and Associates
14 Incorporated.

15 **Q. Okay. And what was your role in this matter?**

16 A. I was asked by the attorney general and KIUC
17 to review the company's requests, and there were
18 multiple requests, and address our agreement with the
19 issuance of a CPCN for the additional cost to recover,
20 or to pay for, I should say, the ELG investments to
21 continue the participation in the capacity of energy and
22 output of Mitchell after 2028, to address the accounting
23 issues, and to address the tariff issues.

24 **Q. Did you file direct testimony in this case?**

25 A. I did.

1 Q. Did you sponsor responses to data requests
2 from the staff and the company?

3 A. Yes.

4 Q. Do you have any corrections to that testimony
5 or those responses?

6 A. No.

7 Q. If you were asked those same questions today,
8 would your answers be the same?

9 A. Yes.

10 MR. WEST: Okay. The witness is available.

11 COMMISSIONER HATTON: Okay. Applicant, any
12 questions?

13 MS. GLASS: We have no questions.

14 COMMISSIONER HATTON: Okay. And, Mr. Kurtz,
15 this was your witness, too, right?

16 MR. KURTZ: Yes.

17 COMMISSIONER HATTON: Sierra Club?

18 MR. SHOAFF: No questions, Your Honor.

19 COMMISSIONER HATTON: All right. Staff?

20 MR. BELLAMY: I just had just one -- a couple
21 quick questions maybe.

22 CROSS-EXAMINATION

23 BY MR. BELLAMY:

24 Q. Mr. Kollen, in your testimony, I think you had
25 testified that you felt like, you know, paying the cost

1 in order to retain Mitchell was the least cost option, I
2 believe, at least in the short term, and that it kept
3 options open. Could you just kind of explain your line
4 of thinking on that in a little more detail?

5 A. Yes. I agreed with the company's case that
6 continuing to invest in Mitchell and to pay Wheeling
7 Power for the ELG costs or -- or Kentucky Power's share
8 of those costs was the least cost option and provided
9 the most flexibility after 2031 in terms of either
10 continuing to operate that facility or modify it so that
11 it could continue to operate.

12 Q. As far as you know, the operation in the short
13 term or being the least cost option, what was your,
14 I guess, thinking on that?

15 A. Well, I reviewed the company's economic
16 analyses, more specifically the table in Mr. Vaughn's
17 direct testimony, and it was clearly the least cost
18 option for the three years, 2029 through 2031.

19 MR. BELLAMY: Okay. I don't have any other
20 questions. Thank you.

21 COMMISSIONER HATTON: Okay. Commissioner Wood?

22 COMMISSIONER WOOD: I don't have any questions.

23 COMMISSIONER HATTON: Commissioner Regan.

24 COMMISSIONER REGAN: I do not have any --

25 COMMISSIONER HATTON: Okay.

1 COMMISSIONER REGAN: -- questions.

2 COMMISSIONER HATTON: Nor do I. Any redirect?
3 All right. Any reason that Mr. Kollen couldn't be
4 excused? All right. Thank you, sir. Nice to see
5 you.

6 THE WITNESS: Well, it was good to see you all,
7 too. Thank you.

8 COMMISSIONER HATTON: All right. And do you
9 have any further witnesses, Mr. West?

10 MR. WEST: No, I do not.

11 COMMISSIONER HATTON: All right. Sierra Club,
12 would you like to call your witness?

13 MR. SHOAFF: Yes, Your Honor. We call Ms. Devi
14 Glick.

15 COMMISSIONER HATTON: And while he's finding
16 that, I'll go ahead and ask you to approach the
17 witness stand and we -- I'll swear you in. Do you
18 swear or affirm the testimony you're about to give
19 is true and correct under penalty of perjury?

20 THE WITNESS: I do.

21 COMMISSIONER HATTON: Okay.

22 THE WITNESS: Thank you.

23 COMMISSIONER HATTON: And if you have what you
24 need, be seated and tell us your full name and
25 business address.

1 THE WITNESS: Yes. My name is Devi Glick.
2 I'm a senior principal at Synapse Energy Economics,
3 business address 485 Massachusetts Avenue,
4 Cambridge, Massachusetts.

5 COMMISSIONER HATTON: All right. Thank you.
6 Counsel?

7 DIRECT EXAMINATION

8 BY MR. SHOAFF:

9 Q. Good afternoon, Ms. Glick. Would you please
10 just once again, for the record, state your name, title,
11 and employer?

12 A. Yes. Devi Glick, Synapse Energy Economics,
13 senior principal.

14 Q. And in this case, did you cause direct
15 testimony to be filed in this proceeding?

16 A. Yes.

17 Q. Do you have any corrections or changes to that
18 testimony today?

19 A. No.

20 Q. And there were no requests for information
21 directed to you in this proceeding; is that correct?

22 A. There were not.

23 MR. SHOAFF: Your Honor, the witness is
24 available for cross-examination.

25 COMMISSIONER HATTON: Okay. And for the

1 applicant?

2 MR. GISH: I have no questions.

3 COMMISSIONER HATTON: Okay. For the Attorney
4 General's Office, KIUC?

5 MR. WEST: No questions, Your Honor.

6 COMMISSIONER HATTON: Staff?

7 MR. BELLAMY: We did have just a few questions.

8 EXAMINATION

9 BY MR. BELLAMY:

10 Q. I know one of your opinions was that the least
11 cost option, at least for the long term, was the
12 conversion of Mitchell to lower cost -- or to the
13 conversion of Mitchell to 100 percent gas. If that were
14 the least cost long-term option, would that not also
15 support the short-term investment into Mitchell now in
16 order to retain that long-term option?

17 A. So I think what concerns me is that all of the
18 analysis required to demonstrate that conversion to gas
19 is the least cost option hasn't been done. So there's
20 more than one way to do a natural -- operate a plant on
21 gas. You could do a simple conversion. You can
22 repower, which is a more extensive construction
23 activity. You could reuse the site. So there's been
24 one type of analysis done on a gas plant conversion
25 option, but it's not clear to me also that the all --

1 the other co-owner would necessarily agree. So if the
2 company commits to continuing to own the plant and then
3 Wheeling Power says no, now they're stuck. So I think
4 what I'm concerned about is that there -- by locking in,
5 there's a lack of optionality. And there seems to be
6 this three-year period where we're being told the only
7 option is to continue operating the plant and have to
8 lock it in for the rest of its life in order to have it
9 for the next three years. And that concerns me, because
10 I feel like there are other options that haven't been
11 pursued for the near term and it's concerning to lock in
12 for the long term.

13 **Q. As far as the timing of locking in the option**
14 **of maintaining Mitchell, you know, past 2028, are you**
15 **familiar with -- I guess, how far out loads or entities**
16 **within PJM are required to obtain capacity?**

17 A. So the -- the capacity auctions generally
18 happen, like, three years in advance. My understanding
19 is AEP is a FRR, fixed resource reserve requirement
20 entity, so they don't participate in the auction. So we
21 may -- they have -- they still have to have the capacity
22 and they need several years in advance. But one of the
23 options, one of the recommendations I put forward, was
24 to have a separate agreement with Wheeling Power, at
25 least a short-term agreement, to maintain the capacity.

1 In his rebuttal testimony, Vaughn did not indicate that
2 he had a conversation with Wheeling. On the stand
3 today, he said he has had a conversation with Wheeling,
4 that -- that's not possible. What I -- I'm still
5 curious why the only option is to pay the full cost of
6 service. Because if Wheeling Power -- if Power has all
7 this capacity now, they regain ownership, they now have
8 a huge amount of -- of excess capacity they can sell in
9 the market. But the -- the cost -- the price that they
10 should be able to offer that to -- to Kentucky Power for
11 shouldn't just have to be the full cost of service.
12 Like, I haven't seen the -- I haven't seen any numbers
13 indicate that -- that's the only cost that has to be
14 cost.

15 **Q. If they were operating it into the**
16 **market -- you know, if Kentucky Power no longer had a**
17 **share of the plant and they were -- Wheeling, was**
18 **offering that portion into the market, would you expect**
19 **them to demand market rates for the capacity and energy**
20 **that they were offering from that plant?**

21 **A. Yeah, so I would expect that the -- the PPA**
22 **price, the amount that Kentucky Power would have to pay,**
23 **would have to be higher than what Wheeling Power**
24 **could -- could earn selling that into the market, which**
25 **is not the same as the cost of service.**

1 Q. Would -- and I know you had some
2 recommendations regarding the PPA option, but assuming
3 that the -- that you accepted the PPA options as being a
4 reasonable -- you know, estimate of PPAs, would you
5 assume that Wheeling offering its capacity in the
6 market, would -- that it would be offered at a similar
7 price to other PPAs?

8 A. Not necessarily. I think it -- the -- part of
9 it -- it has to do with how much it costs to operate the
10 plant. So I'm not sure how, if any -- all of these
11 plants are also in the same market where they're
12 located, what other factors they're using to -- to price
13 the power they're selling to Kentucky Power.

14 Q. With respect to the PPA option, I know you had
15 recommended to upgrade the bids, and Mr. Vaughn's
16 response in part was, you know, that -- that would
17 likely indicate -- or that the bids were conservative
18 because they are old and energy prices and capacity
19 prices are increasing. Would you agree that energy
20 prices and capacity prices within PJM are increasing
21 such that you would expect to see increases in PPA
22 prices?

23 A. Yes, I would agree that -- that's likely.

24 Q. So I guess along those lines, would you agree
25 that the PPA pricing and alternative to -- is likely

1 lower than you would expect if they redid the PPAs at
2 this point?

3 A. I think, yes, for the short term. I think
4 going back to what you were asking before, what concerns
5 me is that the alternative, when you look at the three-
6 year cost of the continuing ownership in Plant Mitchell,
7 that's just the three-year cost. So there might be a
8 higher short-term cost for the PPA. You're not locking
9 in that long-term cost. And that's -- that's the
10 difference. So I -- I do agree that the PPA might be
11 more expensive in the short term, but I think that it's
12 problematic to just look at a three- year cost to make a
13 decision about locking the plant for over a decade based
14 on just that.

15 Q. Would you agree, if you included all of the
16 costs, like a net present value of all costs, including
17 before 2029, and to the extent there's any net plant
18 left in 2031, you did a net present value on all
19 that -- did a net present value on the PPA costs,
20 that -- and that showed just in that short period that
21 the Mitchell option was cheaper, that -- that
22 would -- whether or not you were going to keep operating
23 Mitchell into the future or not, that -- that would
24 establish that current -- the proposed cost would
25 actually be least cost, currently.

1 A. But -- yes, but my understanding is that you
2 have to lock in -- you have to continue your ownership
3 of Mitchell in the long term to have access to that
4 option. So that's why I'm saying I'm concerned about
5 just looking at the three-year comparison, because one
6 of them is three years and one of them is not.

7 **Q. All right. So your position, you're thinking**
8 **that if they lock in Mitchell now they can't ever get**
9 **out of Mitchell beyond 2031? That's -- and that's what**
10 **you find to be problematic?**

11 A. Yeah. As current -- as the information's
12 currently presented, it's -- it's -- the option is you
13 get back in for the lifetime of the plant versus not. I
14 think it's great if there's another alternative or if
15 there's information that the company can provide where
16 there is flexibility to get back out and that's
17 something that they're considering.

18 **Q. I guess -- what's your -- what's the basis of**
19 **your understanding that they can't get out in 2031, if**
20 **they don't want to -- or if they want to -- I'm sorry.**
21 **If they want to get out in 2031, what's your basis for**
22 **the understanding that they wouldn't be able to do so?**

23 A. So my understanding is they're asking
24 for -- they're asking for permission to extend their
25 ownership share through 2040 or beyond. So I haven't

1 looked at the contract terms to see what the exit
2 parameters are. I'm just operating under the assumption
3 that we're -- we're considering signing the contract to
4 take -- retake ownership or not. And if they're being
5 asked to repay all of those costs, I think part of the
6 concern is also that they're now -- like, what does that
7 mean when they -- if they were to exit in 2031? Are
8 they still repaying all of those costs that, from the
9 prior ELG and capital investments, and is that -- is
10 that cost still being passed on? Because that's a
11 pretty significant cost. That -- it's the -- my
12 understanding is that three-year analysis does not take
13 into account paying the entirety of that cost, even if
14 you were get out in 2031.

15 MR. BELLAMY: I don't have any other questions.
16 Thank you.

17 COMMISSIONER HATTON: Okay. Commissioner Wood?

18 COMMISSIONER WOOD: No questions.

19 COMMISSIONER HATTON: Commissioner Regan?

20 COMMISSIONER REGAN: No, but that's an
21 interesting thought you just had. So I just have to
22 think about it a little more. Thanks.

23 EXAMINATION

24 BY COMMISSIONER HATTON:

25 Q. Ms. Glick, you're not suggesting it would be

1 cheaper just to buy from the market?

2 A. No.

3 Q. And because they're sister companies, Wheeling
4 and Kentucky Power, that doesn't mean they're obligated
5 to offer each other a kinfolk deal on prices, right?

6 A. Doesn't mean they're obligated to, but they
7 have -- their parent company ultimately has a financial
8 stake in an arrangement that is mutually beneficial,
9 that makes everybody better off. And they're --
10 that -- that arrangement could befall somewhere between
11 the cost of service and what they are current in the
12 market, more likely.

13 Q. But why wouldn't Wheeling just -- if they're
14 going to sell their excess capacity, not just sell it at
15 market price? You're saying that their parent company
16 should direct them or could direct them to give a better
17 price to Kentucky Power?

18 A. Because -- I think my position is that the
19 parent company could look at the situation and
20 understand that there's uncertainty from the -- right,
21 from the Commission on whether or not they will be
22 allowed to upgrade, pay for the cooling tower, on
23 whether West Virginia will allow the plant to convert to
24 gas, there are -- there are rules in West Virginia that
25 the Commission's put forward on requiring coal plants to

1 operate at certain capacity factors. So I could see
2 there being just uncertainty on whether there would be
3 intervention and to not allow a coal plant to convert
4 because there's desire to keep the plan operating on
5 coal for policy reasons. So I could see the parent
6 company looking at that context. I -- I don't -- I
7 can't -- I can't speak for them at all, but --

8 **Q. Yeah. And if it were a three-year contract**
9 **rather than a 12-year contract, you would find that more**
10 **reasonable?**

11 A. Right. Because then there would be time for
12 the Commission to hear the CPCN for the steam tower
13 conversion to fund the evaluator, look at the analysis
14 on conversion to gas. To have the company do all the
15 analysis, present the options and make a decision on
16 that. And I would have no problem with signing the
17 extension if the plant is converted to gas because the
18 analysis showed that was the least cost option.

19 **Q. And the full cost of service is getting**
20 **amortized under the settlement through 2040, but you're**
21 **suggesting that they wouldn't have to do the full cost**
22 **of service?**

23 A. Right. For the three-year period.

24 **Q. Just do it three years.**

25 A. Right.

1 Q. Okay. I don't know how realistic any of that
2 is.

3 A. Yes, I don't either.

4 Q. Okay. All right. That's all the questions I
5 have. Anything further from commissioners?

6 COMMISSIONER WOOD: No.

7 COMMISSIONER HATTON: Yeah. For Applicant, do
8 you have redirect? Or sorry, do you have redirect?

9 MR. KURTZ: I do not have redirect, Your Honor.

10 COMMISSIONER HATTON: Okay.

11 MR. KURTZ: Thank you.

12 COMMISSIONER HATTON: Okay. All right. Any
13 reason this witness can't be excused? Ms. Glick,
14 you're excused.

15 THE WITNESS: Thank you.

16 COMMISSIONER HATTON: And I believe that brings
17 us to the end of our witnesses. Anything else at
18 this time? Any exhibits that need dealing with?
19 Don't believe anybody moved to admit anything today?

20 MR. SCHULER=: Just this.

21 COMMISSIONER HATTON: Yes, it must admitted.
22 Okay. All right. As far as post-hearing data
23 request, staff, could you issue summary of your
24 request by November 21st? Ben -- sorry,
25 Mr. Bellamy?

1 MR. BELLAMY: I'm sorry. Sorry about that.

2 COMMISSIONER HATTON: Issue data request by
3 November 21st?

4 MR. BELLAMY: Yes. We can do that.

5 COMMISSIONER HATTON: I'm sorry. Caught you
6 just as soon as you were getting asked a question.
7 And then if the requests are out by the 21st,
8 keeping in mind that the final order would be due in
9 this case December 30th, would December 5th be
10 enough time, Ms. Glass?

11 MS. GLASS: Yes.

12 COMMISSIONER HATTON: Okay. And --

13 MS. GLASS: Your Honor, we would make a request
14 to brief this case if --

15 COMMISSIONER HATTON: Yeah.

16 MS. GLASS: -- you'd be so inclined.

17 COMMISSIONER HATTON: I was going to suggest
18 simultaneous initial brief December 9th, unless
19 there's strong objection.

20 MR. SHOAFF: Okay.

21 COMMISSIONER HATTON: I know we're right in the
22 middle of holidays here.

23 MS. GLASS: No, that is consistent with what we
24 were thinking, so that works. Yes.

25 COMMISSIONER HATTON: Good. Okay. And if a

1 response brief is desired by either side,
2 simultaneous response briefs December 15th. And
3 that gives us a tight turnaround for December 30th,
4 but we're --

5 MS. GLASS: As long as that works for your
6 schedule to get your order out by December 30th,
7 that is completely fine with us.

8 COMMISSIONER HATTON: I think we're even going
9 to try to shoot for --

10 COMMISSIONER REGAN: You may be called for
11 delivery for treats while we're here.

12 COMMISSIONER HATTON: Yeah. I think --

13 MR. SHOAFF: What's the response date?

14 COMMISSIONER HATTON: I'm sorry?

15 MR. SHOAFF: The response date?

16 COMMISSIONER HATTON: Oh, simultaneous response
17 briefs by December 15th.

18 MR. SHOAFF: 15th okay.

19 COMMISSIONER HATTON: Okay. And we will
20 endeavor to get that out before Christmas, but don't
21 know how successful we'll be, because all of our
22 utilities will file all their req cases all at the
23 same time. All right. Anything further before we
24 adjourn?

25 MR. SHOAFF: Just one question, Your Honor, and

1 this is mostly for the applicant, I think, but you
2 want the court reporter here today, do you know when
3 the transcript might be available?

4 THE REPORTER: It's usually ten business days
5 unless you need it sooner.

6 MS. GLASS: Ten? We would like it sooner if
7 you can do it.

8 THE REPORTER: What day would you like it on?

9 MS. GLASS: Can you do before Thanksgiving?

10 THE REPORTER: Yeah, we can get it whatever day
11 you need. Just -- Thanksgiving's on the 27th,
12 Thursday, so any time before that.

13 MR. SCHULER: Early that week.

14 THE REPORTER: You --

15 MS. GLASS: Earlier that week, maybe Monday,
16 Tuesday.

17 THE REPORTER: You want to do the 25th? That's
18 the Tuesday. Or 24th, the Monday?

19 MS. GLASS: The 24th would be great. If you
20 could do it.

21 THE REPORTER: 24th? Okay.

22 MS. GLASS: We'll take it the earlier, the
23 better. Does that work for you, Mr. Shoaff?

24 MR. SHOAFF: Yes, that's helpful. And will you
25 all be filing in the docket?

1 MS. GLASS: We will. We will file it into the
2 record as soon as we can after we receive it. So
3 we'll try and get it in on Monday and if we can't,
4 it'll be in on Tuesday.

5 MR. SHOAFF: Understood. Thanks.

6 COMMISSIONER HATTON: Okay. Anything further?
7 All right. In that case, we are adjourned.

8 (Hearing was adjourned at 4:48 p.m. ET.)
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1 CERTIFICATE OF REPORTER
2 COMMONWEALTH OF KENTUCKY AT LARGE
3

4 I do hereby certify that the hearing in the foregoing
5 transcript was taken on the date, and at the time and
6 place set out on the Title page here of by me and that
7 the said matter was recorded digitally by me and then
8 reduced to type written form under my direction, and
9 constitutes a true record of the transcript as taken,
10 all to the best of my skill and ability. I certify that
11 I am not a relative or employee of either counsel, and
12 that I am in no way interested financially, directly or
13 indirectly, in this action.
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22 APRIL CAMUR,

23 COURT REPORTER / NOTARY

24 MY COMMISSION EXPIRES ON: 03/21/2026

25 SUBMITTED ON: 11/24/2025

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