

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

In the Matter of:

ELECTRONIC APPLICATION OF EAST
KENTUCKY POWER COOPERATIVE, INC. FOR A)
GENERAL ADJUSTMENT OF RATES, APPROVAL) CASE NO. 2025-00208
OF DEPRECIATION STUDY, AMORTIZATION OF)
CERTAIN REGULATORY ASSETS, AND OTHER)
GENERAL RELIEF

**TENDERED INITIAL REQUESTS FOR INFORMATION OF JOINT
MOVANTS FOR JOINT INTERVENTION, APPALACHIAN CITIZENS'
LAW CENTER, KENTUCKIANS FOR THE COMMONWEALTH,
KENTUCKY SOLAR ENERGY SOCIETY, AND MOUNTAIN
ASSOCIATION TO EAST KENTUCKY POWER COOPERATIVE, INC.**

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Commonwealth, Kentucky Solar Energy
Society, and Mountain Association*

Dated: August 29, 2025

DEFINITIONS

1. "Document" means the original and all copies (regardless of origin and whether or not including additional writing thereon or attached thereto) of any memoranda, reports, books, manuals, instructions, directives, records, forms, notes, letters, or notices, in whatever form, stored or contained in or on whatever medium, including digital media.
2. "Study" means any written, recorded, transcribed, taped, filmed, or graphic matter, however produced or reproduced, either formally or informally, a particular issue or situation, in whatever detail, whether or not the consideration of the issue or situation is in a preliminary stage, and whether or not the consideration was discontinued prior to completion.
3. "Person" means any natural person, corporation, professional corporation, partnership, association, joint venture, proprietorship, firm, or the other business enterprise or legal entity.
4. A request to identify a natural person means to state his or her full name and business address, and last known position and business affiliation at the time in question.
5. A request to identify a document means to state the date or dates, author or originator, subject matter, all addressees and recipients, type of document (e.g., letter, memorandum, telegram, chart, etc.), identifying number, and its present location and custodian. If any such document was but is no longer in the Company's possession or subject to its control, state what disposition was made of it and why it was so disposed.
6. A request to identify a person other than a natural person means to state its full name, the address of its principal office, and the type of entity.
7. "And" and "or" should be considered to be both conjunctive and disjunctive, unless specifically stated otherwise.
8. "Each" and "any" should be considered to be both singular and plural, unless specifically stated otherwise.
9. Words in the past tense should be considered to include the present, and words in the present tense include the past, unless specifically stated otherwise.

10. “You” or “your” means the person whose filed testimony is the subject of these data requests and, to the extent relevant and necessary to provide full and complete answers to any request, “you” or “your” may be deemed to include any other person with information relevant to any interrogatory who is or was employed by or otherwise associated with the witness or who assisted, in any way, in the preparation of the witness’ testimony.
11. “Company”, “East Kentucky Power Cooperative”, or “EKPC”, means East Kentucky Power Cooperative, inc., their parents, subsidiaries, or member-owners, and/or any of its officers, directors, employees or agents who may have knowledge of the particular matter addressed, and affiliated companies including member cooperatives.
12. “Joint Intervenors” or “JIs” means Appalachia Citizens’ Law Center, Kentuckians for the Commonwealth, Kentucky Solar Energy Society, and Mountain Association who have moved for the status of full intervention as joint intervenors in this matter.
13. Unless otherwise specified in each individual request the term “tariff” means the tariff as filed in this matter by EKPC.
14. “Commission” or “PSC” means the Kentucky Public Service Commission, including its Commissioners, personnel, and offices.

INSTRUCTIONS

1. If any matter is evidenced by, referenced to, reflected by, represented by, or recorded in any document, please identify and produce for discovery and inspection each such document.
2. These requests for information ***are continuing in nature***, and information which the responding party later becomes aware of, or has access to, and which is responsive to any request is to be made available to Joint Intervenors. Any studies, documents, or other subject matter not yet completed that will be relied upon during the course of this case should be so identified and provided as soon as they are completed. The Respondent is obliged to change, supplement and correct all answers to interrogatories to conform to available information, including such information as it first becomes available to the Respondent after the answers hereto are served.
3. Unless otherwise expressly provided, each data request should be construed independently and not with reference to any other interrogatory herein for purpose of limitation.
4. The answers provided should first restate the question asked and also identify the person(s) supplying the information.
5. Please answer each designated part of each information request separately. If you do not have complete information with respect to any interrogatory, so state and give as much information as you do have with respect to the matter inquired about and identify each person whom you believe may have additional information with respect thereto.
6. In the case of multiple witnesses, each interrogatory should be considered to apply to each witness who will testify to the information requested. Where copies of testimony, transcripts, or depositions are requested, each witness should respond individually to the information request.
7. Wherever the response to a request consists of a statement that the requested information is already available to Joint Intervenors, please provide a detailed citation to the document that contains the information. This citation shall include the title of the document, relevant page number(s), and, to the extent possible, paragraph number(s) and/or chart/table/figure number(s).

8. If you claim a privilege including, but not limited to, the attorney-client privilege or the work product doctrine, as grounds for not fully and completely responding to any discovery request, please describe the basis for your claim of privilege in sufficient detail so as to permit Joint Intervenor or the Commission to evaluate the validity of the claim. With respect to documents for which a privilege is claimed, please produce a “privilege log” that identifies the author, recipient, date, and subject matter of the documents or interrogatory answers for which you are asserting a claim of privilege and any other information pertinent to the claim that would enable Joint Intervenor or the Commission to evaluate the validity of such claims.
9. Whenever the documents responsive to a discovery request consist of modeling files (including inputs or output) and/or workpapers, the files and workpapers should be provided in machine-readable electronic format (e.g., Microsoft Excel), with all formulas and cell references intact.
10. The interrogatories are to be answered under oath by the witness(es) responsible for the answer.

**TENDERED INITIAL REQUESTS FOR INFORMATION OF
JOINT MOVANTS FOR JOINT INTERVENTION, TO EAST
KENTUCKY POWER COOPERATIVE, INC.**

Joint Movants for Joint Intervention hereby tender the following initial requests for information to East Kentucky Power Cooperative:

- 1.1. In excel format, please provide each zip code served in whole or part by the Company's member-owners.
- 1.2. In Excel format, by zip code, for the year ending December 31, 2024 (or for the most recent month available if this month is not available), please provide the number of residential customers served in whole or part by the Company's member-owners.
- 1.3. In Excel format, by zip code, as well as for each of the Company's member owners, for the most recent month available, and to the best of the Company's knowledge, please provide:
 - a. The number of member owners' customers having received a LIHEAP cash grant;
 - b. The number of member owners' customers having received an energy assistance grant other than or in addition to LIHEAP.
 - c. If the Company's member-owners do not share this information with the Company, or the Company otherwise has no knowledge of the requested information, please explain why not.
- 1.4. In Excel format, by zip code, as well as for each of the Company's member owners for the most recent month available, and to the best of the Company's knowledge, please provide the estimated number of the Company's member owner customers with annual income at or below 150% of the Federal Poverty Level. If the Company's member-owners do not share this information with the Company, or the Company otherwise has no knowledge of the requested information, please explain why not.
- 1.5. In Excel format, by month for the most recent 24 months, please provide the median monthly residential usage for each of the Company's member-owners. If the Company's member owners do not share this information with the Company, or the Company otherwise has no knowledge of the requested information, please explain why not.
- 1.6. In Excel format, by month for the most recent 24 months, please provide the median monthly residential bills for each of the Company's member-owners. If the Company's member owners do not share this information with the Company,

or the Company otherwise has no knowledge of the requested information, please explain why not.

- 1.7. In Excel format, by month for the most recent 24 months, please provide the median monthly residential arrearage for each of the Company's member-owners. If the Company's member owners do not share this information with the Company, or the Company otherwise has no knowledge of the requested information, please explain why not.
- 1.8. For each fee for which a tariff page was provided, please provide a line-item explanation of how each expense recovered through the fee is allocated between customer classes. In this explanation, provide a specific identification of the specific allocator that is used to allocate the expenses. Separately indicate whether the expense is reduced or offset by the revenue generated by the customer service fee prior to being allocated between classes.
- 1.9. For each fee for which a tariff page was provided immediately above, provide a detailed explanation of how the expenses collected through that fee are removed from the expenses otherwise allocated to the residential kWh charge in the Company's allocated cost of service study. In providing this description, provide a specific reference, by line number and page number, to the Company's allocated cost of service study at which place the expenses have been removed from those expenses otherwise allocated to the residential class.
- 1.10. By year for the most recent five years available, please provide:
 - a. The total dollars of FERC electric refunds received by the Company disaggregated by refund;
 - b. The total dollars of FERC fines, sanctions or other penalties received by the Company disaggregated by each instance of fines, sanctions or other penalties.
- 1.11. For each of the dollar amounts identified above, please provide for each member-owner and EKPC :
 - a. The refund to customers disaggregated by customer class;
 - b. The dollars not refunded to customers due to a failure to meet the tariff thresholds for providing refunds;
 - c. The dollars currently held, and the length of time those dollars have been held, due to a failure to refund those dollars because the size of the refund has not met the tariffed thresholds for providing refunds.
- 1.12. Please provide the application for electricity service, for each member-owner, or the Company if receiving service directly.

- 1.13. Separately identify all information that an applicant for service must provide to each member-owner, or the Company if receiving service directly, above and beyond the information solicited in the application for service for electricity service.
- 1.14. Please identify all circumstances, if any, under which each member-owner, or the Company if receiving service directly, may decline to provide service to an applicant for service.
- 1.15. Please provide a detailed description of how the company knows whether a residential customer has a DER such as smart thermostats, solar, batteries, and electric vehicles that are subject to management by the company or each of the Company's member-owners. If the Company's member owners do not share this information with the Company, or the Company otherwise has no knowledge of the requested information, please explain why not..
- 1.16. Is the Company capable of producing annual load curves, showing hourly use, for customers disaggregated by:
 - a. Residential customers;
 - b. LIHEAP recipients.
 - c. If "yes," please provide such annual load curves for the two most recent years.
 - d. If two years are not available, provide such load curves as are available;
 - e. If not, why not?
- 1.17. Please provide all studies, evaluations or other written documents demonstrating that the energy use of LIHEAP recipients is reflective of the energy use of residential customers who are not receiving LIHEAP.
- 1.18. Please provide all studies of the economic health of the Company service territory prepared by or for the Company within the past five years.
- 1.19. Please identify all metrics of economic health of the Company service territory tracked by the Company or used or reported by the Company within the past five years.
- 1.20. Please provide a single copy of all reports (analyses, memos, evaluations, or other written document) in which the Company utilized the metrics identified in the immediately preceding question within the past five years.
- 1.21. Please provide a single copy of all reports or discussions of the economic health of the Company service territory provided to Company management, Board or investors within the past five years.

- 1.22. Please identify all reports of the economic health of the Company service territory, prepared by a person or entity external to the Company, routinely relied on by the Company.
- 1.23. For all such reports identified in response to the immediately preceding question, please provide a single copy of each such report since January 2023.
- 1.24. Please provide for each year 2023 through present inclusive, copies of:
- a. Each Company agenda identifying low-income issues as a separately-stated agenda item;
 - b. Each presentation or other set of materials to the company Board of Directors regarding low-income energy issues;
 - c. Each holding company Board of Directors agenda identifying low-income issues as a separately-stated agenda item;
 - d. Each set of presentation or other set of materials distributed to the holding company Board of Directors as part of the agenda item;
 - e. Each Company Board agenda identifying customer service and/or credit and collection issues as a separately stated agenda item;
 - f. Each presentation to the Company Board of Directors regarding customer service and/or credit and collection issues;
 - g. Each set of written materials regarding customer service and/or credit and collection issues distributed as part of the agenda item.
- 1.25. Please provide a breakdown by category of each component of costs included in the Company's avoided cost calculations, and the methodology and data on which the cost was calculated and assigned. Please provide a comparison of the current costs for each category with the assumed avoided costs in 2020-00349 and 00350, and explain the basis or bases for the increase or decrease in costs.
- 1.26. For the last two years (2023 and 2024), please provide the following:
- a. The Company's load profile for each of the last two years, expressed in 15-minute intervals.
 - b. A profile of the Company's cost of generation in each 15-minute interval, or in the shortest time interval for which data is available.
 - c. A breakdown of how the Company's cost of power changes over the course of each day for each month of the year.
 - d. The Company's cost of power during off-peak and peak demand times for each month (including all energy, demand, and transmission charges).
 - e. Identify what resources the Company called on to meet peak demand each month (including market purchases, if applicable).
- 1.27. Please provide working Excel models of the Company's class cost of service studies developed for this rate case.

- 1.28. Please provide all cost of service workpapers in native electronic format, including any and all linked data and working files.
- 1.29. Please provide the FERC decisions authorizing the revenue requirements for the transmission system for EKPC 2010.
- 1.30. Please provide a list by year of all new generation units larger than 1 MW built and installed in the service territory of EKPC since 2010. Please note whether that generation is owned by EKPC, or by a third party, and the generation technology and fuel/energy source for each.
- 1.31. Please provide a list of all new power purchase agreements by year signed by EKPC since 2010. Please note the generation technology and fuel/energy source for each.
- 1.32. Please provide the historic peak demand for EKPC since 2010.
- 1.33. Please provide the historic energy sales for EKPC since 2010.
- 1.34. Please provide all historic environmental compliance costs recorded by utility by year since 2010.
- 1.35. Please provide all historic operational cost data for all utility owned generation by plant since 2010 separated by 1) fuel 2) maintenance 3) capital replacement and 4) environmental compliance.
- 1.36. Please specify the fuel or energy source for all utility owned generation for each plant by year since 2010.
- 1.37. Please provide amount of fuel or energy source consumed in MMBtus for all utility owned generation for each plant by year since 2010. (EIA filings made by the utility are sufficient.)
- 1.38. Please provide historic annual generation for all utility owned generation for each plant by year since 2010. (EIA filings made by the utility are sufficient.)
- 1.39. In operating the generation and transmission system, does EKPC use the NERC recommended 7% operational reserve margin?
- 1.40. In operating the generation and transmission system, does EKPC use the customer metered load as the benchmark for the operational reserve margin? If not, what adjustments does EKPC make to set the benchmark?

- 1.41. Please describe, and provide complete and detailed documentation on, all current low-income or income-eligible programs that the Company or its member-owners currently operates relating to energy efficiency and renewable energy, including, but not limited to, the name of the program, annual budget, the customer segment to which the program applies, the number of participating customers, and the applicable tariff sheets. Please include information for any programs that have been provided in the past 5 years. Please provide information for any programs currently planned and/or in development for the future.
- 1.42. Please confirm that as a fully integrated member of PJM, EKPC purchases the energy its member owners need to serve load through PJM energy markets. If anything but confirmed, please explain.
- 1.43. Please confirm that as a fully integrated member of PJM, the energy produced by EKPC's generating resources is sold into PJM energy markets. If anything but confirmed, please explain.
- 1.44. Please refer to the Direct Testimony of Anthony Campbell, at page 8, including discussion of PJM capacity, and answer the following requests.
- a. To the best of Mr. Campbell and EKPC's knowledge, please identify the actions taken by PJM in the last five years to address capacity resource adequacy.
 - b. To the best of Mr. Campbell and EKPC's knowledge, please identify the actions taken by FERC in the last five years related to capacity resource adequacy in Regional Transmission Organizations, including but not limited to PJM.
 - c. To the best of Mr. Campbell and EKPC's knowledge, please identify the actions taken by Congress in the last five years related to capacity resource adequacy in Regional Transmission Organizations, including but not limited to PJM.
 - d. To the best of Mr. Campbell and EKPC's knowledge, please identify the actions taken by the Trump Administration related to capacity resource adequacy in Regional Transmission Organizations, including but not limited to PJM.
 - e. Please provide primary or secondary materials supporting the following statement, if any: "Second, states with deregulated electric markets adopted short-sighted policies that encouraged utilities to lean on the PJM system and failed to incentivize needed investments in new capacity."
- 1.45. Please refer to the Direct Testimony of Anthony Campbell, at page 18, stating that "Losing a generating unit during a winter or summer peak can result in significant penalties under PJM's Capacity Performance rules."

- a. To the extent known, please explain how the PJM Capacity Performance rules determine the described penalties.
 - b. To the extent known, please explain how the PJM Capacity Performance rules determine payments to generating units for reliable performance under PJM's Capacity Performance rules.
 - c. Please identify each PJM Capacity Performance payment and penalty for each of EKPC's generating units since the PJM Capacity Performance rules were first introduced. If EKPC is unable to provide this information on a unit or per payment/penalty basis, please explain why not.
- 1.46. Please refer to the Direct Testimony of Anthony Campbell at page 20, stating, "With President Trump in office, we continue to write to express EKPC's position on various energy matters." Please produce the referenced letters written to the Office of the President.
- 1.47. What efforts does the Company undertake to engage stakeholders regarding:
- a. Low-income affordability
 - b. Low-income assistance,
 - c. Demand-side management and energy efficiency programs?
 - d. For each, provide documentation, including agendas and minutes of stakeholder meetings.
- 1.48. What efforts does the Company undertake to encourage uptake of its demand-side management programs by member-owner cooperatives?
- 1.49. What is the Company's role in the rate design of its member-owners, and vice versa?
- 1.50. How do PJM's capacity market costs (especially their recent record-breaking increases) make their way onto the bills of the member-owners? Specifically, how are those costs allocated/passed on to end users: by meter, demand, or usage costs? If more than one, in what proportion? What about differences in rate class?
- 1.51. How does the Company account for fuel cost volatility in decisions regarding ongoing capital expenses for existing resources?
- 1.52. Please refer to the Company's Application at Exhibit 16, Attachment JRS-1, tab 1.24 "Remove WSE Effects", and explain the Company's rationale for removing the effects of Winter Storm Elliott given the statements in the Direct Testimony of Don Mosier and Julia Tucker on behalf of the Company in Case No. 2024-00370 that Winter Storm Elliott form the basis for the Company's resource planning.

[Signature on next page]

Respectfully Submitted,



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Mountain Association

CERTIFICATE OF SERVICE

In accordance with the Commission's July 22, 2021 Order in Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19*, this is to certify that the electronic filing was submitted to the Commission on August 29, 2025; that the documents in this electronic filing are a true representation of the materials prepared for the filing; and that the Commission has not excused any party from electronic filing procedures for this case at this time.



Byron L. Gary