

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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

MOTION FOR DEVIATION

Comes now East Kentucky Power Cooperative, Inc. (“EKPC”), by counsel, respectfully requests the Kentucky Public Service Commission (“Commission”), pursuant to 807 KAR 5:001, Section 22, and other applicable law to grant a deviation of certain portions of the notice requirement in 807 KAR 5:001, Section 9(2). EKPC is requesting a decision on this matter by **November 7, 2025**, because that is the day the because that is the date *Kentucky Living* must finalize the notice for printing. Respectfully, EKPC states as follows:

1. On August 1, 2025, EKPC filed an application requesting an adjustment of rates. On October 8, 2025, the Commission entered an order setting a Formal Hearing in this matter on December 8, 2025.
2. 807 KAR 5:001, Section 9(2) requires a utility to provide notice of a hearing either by publication in a newspaper or by mailing notice to customers.¹ If the notice of the hearing is

¹ 807 KAR 5:001, Section 9(2)(b)(2) and 807 KAR 5:001, Section 9(2)(b)(3).

provided by newspaper publication, the notice must be published no less than seven (7) days and no more than twenty-one days (21).²

3. EKPC has the opportunity to publish notice of the December 8, 2025 Hearing in the December issue of *Kentucky Living* magazine. This will be mailed to members on, or about, November 26, 2025. A copy of the notice that will be provided to *Kentucky Living* is attached as Appendix A to this motion.

4. 807 KAR 5:001, Section 9(2)(a)(1) requires that a utility bear the cost of publication of the notice of a hearing. While rate case expense recovery is at the discretion of the Commission, it is typically for utilities to be allowed to recover the cost of publication of notice. In this case, EKPC has the opportunity to publish notice in *Kentucky Living* and due to the space needed for the hearing notice there will be no cost for the publication. EKPC expects significant cost savings for publication in *Kentucky Living* as opposed to the multiple newspapers that serve EKPC's service area.

6. EKPC will supplement the record at the time of publication with a copy of the notice and publisher's affidavit.

WHEREFORE, EKPC respectfully requests the Commission grant a deviation of 807 KAR 5:001, Section 9(2) pursuant to 807 KAR 5:001, Section 22 and permit EKPC to publish notice of the December 8, 2025 Formal Hearing by publication in *Kentucky Living*.

Dated this 1st day of November, 2025.

² 807 KAR 5:001, Section 9(2)(b)(2).

Respectfully submitted,

Heather S. Temple

L. Allyson Honaker
Heather S. Temple
Meredith Cave
HONAKER LAW OFFICE PLLC
1795 Alysheba Way, Suite 6202
Lexington, Kentucky 40509
(859) 368-8803
allyson@hloky.com
heather@hloky.com
meredith@hloky.com

Counsel for East Kentucky Power Cooperative, Inc.

CERTIFICATE OF SERVICE

This is to certify that the electronic filing was transmitted to the Commission on July 28, 2025 and that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding. Pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085 no paper copies of this filing will be made.

Heather S. Temple

Counsel for East Kentucky Power Cooperative, Inc.

ATTACHMENT A

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Kentucky Public Service Commission (the "Commission") will conduct a hearing at 9:00 a.m. Eastern Standard Time on Monday, December 8, 2025, in the Richard Raff Hearing Room at the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky, 40602, for the purposes of cross-examination of witnesses of East Kentucky Power Cooperative, Inc. ("EKPC") in PSC Case No. 2025-00208, regarding EKPC's Application for a rate increase. This notice is provided in compliance with 807 KAR 5:001, Section 9(2)(b). This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov. Public comments may be made at the beginning of the hearing. Those wishing to make oral public comments may do so by following the instructions listed on the PSC website, psc.ky.gov.