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, APPROVAL OF DEPRECIATION STUDY, AMORTIZATION OF CERTAIN REGULATORY ASSETS AND OTHER GENERAL RELIEF	))))))	**CASE NO. 2025-00208**

RESPONSES TO ATTORNEY GENERAL AND NUCOR'S

FIRST INFORMATION REQUEST

TO EAST KENTUCKY POWER COOPERATIVE, INC.

DATED SEPTEMBER 8, 2025

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, APPROVAL OF DEPRECIATION STUDY, AMORTIZATION OF CERTAIN REGULATORY ASSETS AND OTHER GENERAL RELIEF	))))))	**CASE NO. 2025-00208**

CERTIFICATE

STATE OF KENTUCKY)
)
COUNTY OF CLARK)

Darrin Adams, being duly sworn, states that he has supervised the preparation of the responses of East Kentucky Power Cooperative, Inc. to the AG-Nucor's First Request for Information in the above-referenced case dated September 8, 2025, and that the matters and things set forth therein are true and accurate to the best of his knowledge, information and belief, formed after reasonable inquiry.

Darrin Adams

Subscribed and sworn before me on this 17 day of September, 2025.

JOHN CHRISTIAN EVERLY
Notary Public
Commonwealth of Kentucky
Commission Number KYNP104251
My Commission Expires Aug 27, 2029

Notary Public

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, APPROVAL OF DEPRECIATION STUDY, AMORTIZATION OF CERTAIN REGULATORY ASSETS AND OTHER GENERAL RELIEF	)))))))	**CASE NO. 2025-00208**

CERTIFICATE

STATE OF KENTUCKY)
)
COUNTY OF CLARK)

Gregory H. Cecil, being duly sworn, states that he has supervised the preparation of the responses of East Kentucky Power Cooperative, Inc. to the AG-Nucor's First Request for Information in the above-referenced case dated September 8, 2025, and that the matters and things set forth therein are true and accurate to the best of his knowledge, information and belief, formed after reasonable inquiry.

Gregory H. Cecil

Gregory H. Cecil

Subscribed and sworn before me on this 15 day of September, 2025.

JOHN CHRISTIAN EVERLY
Notary Public
Commonwealth of Kentucky
Commission Number KYNP104251
My Commission Expires Aug 27, 2029

Notary Public

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, APPROVAL OF DEPRECIATION STUDY, AMORTIZATION OF CERTAIN REGULATORY ASSETS AND OTHER GENERAL RELIEF	))))))	**CASE NO. 2025-00208**

CERTIFICATE

STATE OF KENTUCKY)
)
COUNTY OF CLARK)

Denise Foster Cronin, being duly sworn, states that she has supervised the preparation of the responses of East Kentucky Power Cooperative, Inc. to the AG-Nucor's First Request for Information in the above-referenced case dated September 8, 2025, and that the matters and things set forth therein are true and accurate to the best of her knowledge, information and belief, formed after reasonable inquiry.

Denise R Foster Cronin
Denise Foster Cronin

Subscribed and sworn before me on this 15 day of September, 2025.

JOHN CHRISTIAN EVERLY
Notary Public
Commonwealth of Kentucky
Commission Number KYNP104251
My Commission Expires Aug 27, 2029

Clinton Everly
Notary Public

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, APPROVAL OF DEPRECIATION STUDY, AMORTIZATION OF CERTAIN REGULATORY ASSETS AND OTHER GENERAL RELIEF	))))))	**CASE NO. 2025-00208**

CERTIFICATE

STATE OF KENTUCKY)
)
COUNTY OF CLARK)

Michelle K. Carpenter, being duly sworn, states that she has supervised the preparation of the responses of East Kentucky Power Cooperative, Inc. to the AG-Nucor's First Request for Information in the above-referenced case dated September 8, 2025, and that the matters and things set forth therein are true and accurate to the best of her knowledge, information and belief, formed after reasonable inquiry.

Michelle K. Carpenter
Michelle K. Carpenter

Subscribed and sworn before me on this 15 day of September, 2025.

JOHN CHRISTIAN EVERLY
Notary Public
Commonwealth of Kentucky
Commission Number KYNP104251
My Commission Expires Aug 27, 2029

Christian Everly
Notary Public

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, APPROVAL OF DEPRECIATION STUDY, AMORTIZATION OF CERTAIN REGULATORY ASSETS AND OTHER GENERAL RELIEF	))))))	**CASE NO. 2025-00208**

CERTIFICATE

STATE OF KENTUCKY)
)
COUNTY OF CLARK)

Craig Johnson, being duly sworn, states that he has supervised the preparation of the responses of East Kentucky Power Cooperative, Inc. to the AG-Nucor's First Request for Information in the above-referenced case dated September 8, 2025, and that the matters and things set forth therein are true and accurate to the best of his knowledge, information and belief, formed after reasonable inquiry.

Craig Johnson

Craig Johnson

Subscribed and sworn before me on this 15 day of September, 2025.

JOHN CHRISTIAN EVERLY
Notary Public
Commonwealth of Kentucky
Commission Number KYNP104251
My Commission Expires Aug 27, 2029

Christian Everly

Notary Public

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, APPROVAL OF DEPRECIATION STUDY, AMORTIZATION OF CERTAIN REGULATORY ASSETS AND OTHER GENERAL RELIEF	)))))))	**CASE NO. 2025-00208**

CERTIFICATE

STATE OF KENTUCKY)
)
COUNTY OF CLARK)

Barry Lindeman, being duly sworn, states that he has supervised the preparation of the responses of East Kentucky Power Cooperative, Inc. to the AG-Nucor's First Request for Information in the above-referenced case dated September 8, 2025, and that the matters and things set forth therein are true and accurate to the best of his knowledge, information and belief, formed after reasonable inquiry.

Barry Lindeman

Subscribed and sworn before me on this 15 day of September, 2025.

JOHN CHRISTIAN EVERLY
Notary Public
Commonwealth of Kentucky
Commission Number KYNP104251
My Commission Expires Aug 27, 2029

Notary Public

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, APPROVAL OF DEPRECIATION STUDY, AMORTIZATION OF CERTAIN REGULATORY ASSETS AND OTHER GENERAL RELIEF	))))))	**CASE NO. 2025-00208**

CERTIFICATE

STATE OF KENTUCKY)
)
COUNTY OF CLARK)

Jerry Purvis, being duly sworn, states that he has supervised the preparation of the responses of East Kentucky Power Cooperative, Inc. to the AG-Nucor's First Request for Information in the above-referenced case dated September 8, 2025, and that the matters and things set forth therein are true and accurate to the best of his knowledge, information and belief, formed after reasonable inquiry.

Jerry Purvis

Subscribed and sworn before me on this 15 day of September, 2025.

JOHN CHRISTIAN EVERLY
Notary Public
Commonwealth of Kentucky
Commission Number KYNP104251
My Commission Expires Aug 27, 2029

Notary Public

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, APPROVAL OF DEPRECIATION STUDY, AMORTIZATION OF CERTAIN REGULATORY ASSETS AND OTHER GENERAL RELIEF	))))))	**CASE NO. 2025-00208**

CERTIFICATE

STATE OF KENTUCKY)
)
COUNTY OF CLARK)

Cliff Scott, being duly sworn, states that he has supervised the preparation of the responses of East Kentucky Power Cooperative, Inc. to the AG-Nucor's First Request for Information in the above-referenced case dated September 8, 2025, and that the matters and things set forth therein are true and accurate to the best of his knowledge, information and belief, formed after reasonable inquiry.

Cliff Scott

Cliff Scott

Subscribed and sworn before me on this 15 day of September, 2025.

JOHN CHRISTIAN EVERLY
Notary Public
Commonwealth of Kentucky
Commission Number KYNP104251
My Commission Expires Aug 27, 2029

Christian Everly

Notary Public

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, APPROVAL OF DEPRECIATION STUDY, AMORTIZATION OF CERTAIN REGULATORY ASSETS AND OTHER GENERAL RELIEF	))))))	**CASE NO. 2025-00208**

CERTIFICATE

COMMONWEALTH OF PENNSYLVANIA)
)
COUNTY OF CUMBERLAND)

John J. Spanos, being duly sworn, states that he has supervised the preparation of the responses of East Kentucky Power Cooperative, Inc. to the AG-Nucor's First Request for Information in the above-referenced case dated September 8, 2025, and that the matters and things set forth therein are true and accurate to the best of his knowledge, information and belief, formed after reasonable inquiry.

John J. Spanos

John J. Spanos

Subscribed and sworn before me on this 17th day of September, 2025.

Commonwealth of Pennsylvania - Notary Seal
MEGAN LYNN ECKRICH - Notary Public
Cumberland County
My Commission Expires September 16, 2027
Commission Number 1264513

Megan Lynn Eckrich

Notary Public

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, APPROVAL OF DEPRECIATION STUDY, AMORTIZATION OF CERTAIN REGULATORY ASSETS AND OTHER GENERAL RELIEF	))))))	**CASE NO. 2025-00208**

CERTIFICATE

STATE OF KENTUCKY)
)
COUNTY OF CLARK)

Thomas J. Stachnik, being duly sworn, states that he has supervised the preparation of the responses of East Kentucky Power Cooperative, Inc. to the AG-Nucor's First Request for Information in the above-referenced case dated September 8, 2025, and that the matters and things set forth therein are true and accurate to the best of his knowledge, information and belief, formed after reasonable inquiry.

Thomas J. Stachnik

Subscribed and sworn before me on this 15 day of September, 2025.

JOHN CHRISTIAN EVERLY
Notary Public
Commonwealth of Kentucky
Commission Number KYNP104251
My Commission Expires Aug 27, 2029

Notary Public

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, APPROVAL OF DEPRECIATION STUDY, AMORTIZATION OF CERTAIN REGULATORY ASSETS AND OTHER GENERAL RELIEF	))))))	**CASE NO. 2025-00208**

CERTIFICATE

STATE OF KENTUCKY)
)
COUNTY OF CLARK)

Jacob R. Watson, being duly sworn, states that he has supervised the preparation of the responses of East Kentucky Power Cooperative, Inc. to the AG-Nucor's First Request for Information in the above-referenced case dated September 8, 2025, and that the matters and things set forth therein are true and accurate to the best of his knowledge, information and belief, formed after reasonable inquiry.

Jacob R. Watson
Jacob R. Watson

Subscribed and sworn before me on this 17 day of September, 2025.

JOHN CHRISTIAN EVERLY
Notary Public
Commonwealth of Kentucky
Commission Number KYNP104251
My Commission Expires Aug 27, 2029

Christian Everly
Notary Public

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, APPROVAL OF DEPRECIATION STUDY, AMORTIZATION OF CERTAIN REGULATORY ASSETS AND OTHER GENERAL RELIEF	)))))))	**CASE NO. 2025-00208**

CERTIFICATE

STATE OF KENTUCKY)
)
COUNTY OF OLDHAM)

Jeffrey W, Wernert, Jr., being duly sworn, states that he has supervised the preparation of the responses of East Kentucky Power Cooperative, Inc. to the AG-Nucor's First Request for Information in the above-referenced case dated September 8, 2025, and that the matters and things set forth therein are true and accurate to the best of his knowledge, information and belief, formed after reasonable inquiry.

Jeffrey W. Wernert, Jr.

Subscribed and sworn before me on this 15th day of September, 2025.

Notary Public

CHASE BRINKSNEADER
Notary Public - State at Large
Kentucky
My Commission Expires Apr. 22, 2029
Notary ID KYNP99172

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, APPROVAL OF DEPRECIATION STUDY, AMORTIZATION OF CERTAIN REGULATORY ASSETS AND OTHER GENERAL RELIEF	))))))	**CASE NO. 2025-00208**

CERTIFICATE

STATE OF KENTUCKY)
)
COUNTY OF CLARK)

Denver York, being duly sworn, states that he has supervised the preparation of the responses of East Kentucky Power Cooperative, Inc. to the AG-Nucor's First Request for Information in the above-referenced case dated September 8, 2025, and that the matters and things set forth therein are true and accurate to the best of his knowledge, information and belief, formed after reasonable inquiry.

Denver York

Subscribed and sworn before me on this 15 day of September, 2025.

JOHN CHRISTIAN EVERLY
Notary Public
Commonwealth of Kentucky
Commission Number KYNP104251
My Commission Expires Aug 27, 2029

Notary Public

EAST KENTUCKY POWER COOPERATIVE, INC.

CASE NO. 2025-00208

FIRST REQUEST FOR INFORMATION RESPONSE

ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025

REQUEST 1

RESPONSIBLE PARTY: **(a) & (b) Darrin Adams; (c) Jacob Watson; (d) Denise Foster Cronin**

Request 1. Reference the slide presentation linked in the footnote below.[1]

a. Does EKPC agree that in PJM, transmission costs as a component of the wholesale price of electricity have increased from 6.8% to 32% in the last ten years?

b. Explain whether EKPC has any reason to dispute that transmission costs in PJM increased 143% over the period 2014-2024.

c. Provide a discussion regarding how PJM's increased transmission charges impact EKPC, including but not limited to the rates EKPC charges to the owner-members.

d. Does EKPC agree that competitively bid transmission projects can yield greater cost savings than those constructed by incumbent utilities?

Response 1.

a. EKPC has not performed an analysis of the transmission costs in PJM to be able to agree or disagree with the percentage increase over the ten-year period referenced in this question.

[1] https://www.ieca-us.org/wp-content/uploads/IECA-PJM-Electricity-Transmission-Costs_08.01.25.pdf.

b. EKPC has not performed an analysis of PJM's transmission costs. As such, EKPC does not have any basis upon which to take a position on whether transmission costs increased over a ten-year period by the percentage stated in this question.

c. It is important to distinguish the two categories of transmission projects that result in costs paid by load served by EKPC. Any local transmission project (or project that EKPC pursues for the benefit of its Zone pursuant to the PJM Tariff Attachment M-3 process) is cost allocated only to EKPC's load zone. Additionally, EKPC is allocated costs from other PJM required transmission projects depending on the voltage level of the project regardless of which transmission owner or merchant transmission developer is constructing within the PJM region. EKPC pays a load-ratio allocated share of 50% of projects that are double circuit 345 kV or higher voltage on all projects and a contribution based on whether the power flows over the project benefits EKPC from a distribution factor calculation. For lower voltage projects, EKPC pays only if the power flows over the project benefits EKPC from a distribution factor calculation. These calculations are updated annually, so EKPC's contribution to projects adjusts annually.

The increase in PJM's allocation of transmission charges to EKPC directly impacts EKPC's margins and TIER due to the fact that EKPC is currently only allowed to recover $9,343,801 of RTEP expenses in base rates through the demand charges collected in EKPC's Tariff.[2] Therefore, when PJM increases the transmission expenses that are allocated specifically

[2] Case No. 2021-00103, *In the Matter of: Electronic Application of East Kentucky Power Cooperative, Inc., for a General Adjustment of Rates, Approval of Depreciation Study, Amortization of Certain Regulatory Assets, and Other General Relief,* Order, (Ky. P.S.C., Sept. 30, 2021).

to EKPC, then EKPC must pay the remaining portion of RTEP expenses from its own margins. For example, in 2023, EKPC's allocated RTEP expenses totaled $11,124,055 and EKPC's recoverable base rate amount was $9,343,801. Therefore, EKPC had to pay $1,780,254 in RTEP expenses strictly from its margins in 2023. While that initially has no immediate impact to EKPC's Owner-Members, it has long-term recovery effects due to EKPC operating at a lower TIER and potentially not meeting its debt service covenants.

As noted in Case No. 2025-00193, and in this proceeding, going forward EKPC believes that RTEP expenses are projected to increase, which is why EKPC is currently before the Commission requesting approval for a regulatory asset/liability related to RTEP expenses and requesting approval for an RTEP Rider in this case. Without the approval of the regulatory asset/liability and RTEP Rider then EKPC would pay $20,165,905 out of its own margins and therefore need to either increase the amount of recoverable RTEP expenses in base rates, which in turn would drastically increase the proposed revenue requirement and the pass-through amounts charged to EKPC's Owner-Members, increase EKPC's proposed 1.50 TIER, and/or come in more frequently for rate cases.

d. EKPC does not agree that competitively bid transmission projects yield greater cost savings than those constructed by incumbent utilities. The benefits of a competitive solicitation process are far from guaranteed. Concentric Energy Advisors released a report in 2024 that analyzed publicly available data on competitive solicitations conducted, which showed no consistent evidence of benefits flowing from competitive transmission solicitations.[3] Even if a

[3] Concentric Energy Advisors, "An Updated Examination of FERC Order No. 1000 Projects: Expanded Review Shows that Benefits of Competition Remain Elusive" (April 16, 2024).

cost containment mechanism (e.g., cost cap) was included in the winning project's proposal, such mechanisms do not necessarily create a firm guarantee of a project's cost, as there typically are categorical and additionally has the benefit of RUS financing and every motivation to keep costs contained for EKPC's Owner Members.

Additionally, delays in constructing necessary transmission that arise due to the timeline associated with PJM's administration of a competitive process reduces any potential benefit that might have been expected to be derived from the Federal Energy Regulatory Commission ("FERC") Order No. 1000 competitive transmission process. In other words, a need for transmission has been identified but the process requires several steps before a developer is selected and assigned the project to construct. The reliability benefit of a timely transmission solution is important to consider too. There are "costs" of not having a transmission solution in place timely.

Last, it is EKPC's experience that much of the advocacy about cost savings relates to cost allocation; to the extent a higher voltage transmission project is pursued, it is possible that costs are spread over a wider geographic footprint in PJM (as explained in response to Item1(c)). EKPC's view of this advocacy is that it is a false narrative of savings. Certain zones in PJM may indeed see cost savings on a particular project as a result of a competitive solicitation process, but at the expense of other zones that otherwise would not have been allocated any costs for a lower-voltage project that could have satisfied the system need.

EAST KENTUCKY POWER COOPERATIVE, INC.
CASE NO. 2025-00208
FIRST REQUEST FOR INFORMATION RESPONSE

ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 2
RESPONSIBLE PARTY: Michelle K. Carpenter

Request 2. Reference Application Exhibit 35, Attachment 1, page 3 of 83 (EKPC 2023 Annual Report). Provide explanations for:

a. the 1.9% decrease in sales to members; and
b. the 18% increase in generation expense.

Response 2.

a. Megawatt-hour ("MWh") sales to members declined 1.9% in comparison to the prior year primarily due to unfavorable weather.

b. The 18% increase in the cost of owned generation in mills/kWh was primarily due to a 14.3% decrease in the MWhs generated by EKPC's fleet in 2023, coupled with a small 1.1% increase in total generation expense in 2023 as compared to 2022, which resulted in the cost of owned generation (mills/kWh) increasing from $71.92 to $84.86. Fleet generation declined due to EKPC taking advantage of lower market prices. MWhs purchased increased 16.9% in 2023 and the average price per MWh for purchased power decreased 54.4% in 2023 to $31.60 versus $69.35 in 2022.

EAST KENTUCKY POWER COOPERATIVE, INC.
CASE NO. 2025-00208
FIRST REQUEST FOR INFORMATION RESPONSE

ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 3
RESPONSIBLE PARTY: Michelle K. Carpenter

Request 3. Explain whether EKPC receives any Renewable Energy Credits (RECs) regarding the renewable energy it produces and/or purchases. Explain also the accounting treatment for the RECs.

Response 3. EKPC receives RECs through the production of solar, hydroelectric, and landfill gas renewable energy resources. RECs created by renewable generating units are inventoried as units with the necessary vintage information, but are not assigned a value for accounting purposes. In accordance with EKPC's Rate H Tariff Option C, EKPC purchases RECs on behalf of customers of Owner-Member cooperatives, which are ultimately sold to them. When sold, REC revenues are recorded in account 459000, Revenue – Sale of Renewable Energy Credit and the cost of the RECs purchased are recorded in account 559000, Renewable Energy Credit Expense. Any RECs purchased in advance of the billing cycle are recorded in account 158100, Allowance Inventory, at cost and are charged to expense (Account 559000) at the time of sale.

EAST KENTUCKY POWER COOPERATIVE, INC.
CASE NO. 2025-00208
FIRST REQUEST FOR INFORMATION RESPONSE

ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 4
RESPONSIBLE PARTY: Jerry Purvis

Request 4. Reference Exhibit 35, Attachment 1, page 6 of 83 (EKPC 2023 Annual Report). Reference also the EPA notice linked in the footnote below,[4] wherein it is stated EKPC was granted a temporary exemption from compliance with the MATS rule. Explain whether this exemption produced any cost savings in EKPC's ECR charges to the member-owners.

a. Explain further whether any other exemptions from additional environmental regulations such as CCR and/or ELG will or could apply to EKPC, and if so, how any potential savings will be recorded.

Response 4. EKPC reduced risk to environmental compliance by applying for the Presidential Exemption for MATs. This compliance risk tolls for up to 3 years, or until July 2029. At this time, EKPC does not foresee a reduction in operations expense since the control equipment is in place and Spurlock unit 3 bag-house work was completed in Spring of 2025.

[4] https://www.epa.gov/system/files/documents/2025-04/regulatory-relief-for-certain-stationary-annex-1.pdf.

EKPC is, and was, proactive given EPA regulations. EKPC will complete clean closure by removal of Spurlock's surface impoundment in 2025 pursuant to the 2015 EPA CCR rule. EKPC will work with EPA and the Kentucky Division of Waste to formalize the closure plans by early 2026 at the latest. The CCR rule requires the impoundment have 2 years of no statistical significant hits before the surface impoundment is closed. The two years will begin after all of the ash has been removed from the ash pond or surface impoundment at Spurlock Station. Once this unit is closed, the dry ash from the EKPC Spurlock coal-fired units will continue to be hauled to its on-site permitted dry ash CCR landfill. A reduction in costs may not be realized in real dollars saved. However, the high risk for ash diminishes, since it will no longer reside or exist next to the Ohio River.

In 2019, EKPC purchased and installed, voluntarily, the zero liquid discharge (ZLD) wastewater treatment system on its flue gas desulfurization (FGD), wet scrubbers as required to comply with ELG. The system came into compliance under the rule and Kentucky Pollutant Discharge Elimination System ("KPDES") "water permit" ahead of schedule in 2023. EKPC realized those expenses over the past five years. However, as ELG 2020 and 2024 moved, bounced, and changed essentially requiring the industry to change its capital plans from physical chemistry and biological technology to ZLD, EKPC did not have to modify or change its capital plans or technology saving millions of dollars for its rural Owner-Members. EKPC correctly implemented and chose to reduce, recycle, and implement ZLD on its Spurlock FGD systems.

Under this EPA Administration, EKPC is working closely with Kentucky state regulators and EPA HQ regulators to understand, monitor, and participate in rulemaking for Greenhouse Gases, Legacy CCR, ELG, MATs, and PM2.5 NAAQs. Since EPA rulemaking is underway, at this time, EKPC has not identified any material costs of capital to pass along. Once EKPC sees the revised final rules, internally vets the options, and develops compliance plans, EKPC will notify and update the Public Service Commission.

EAST KENTUCKY POWER COOPERATIVE, INC.
CASE NO. 2025-00208
FIRST REQUEST FOR INFORMATION RESPONSE

ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 5
RESPONSIBLE PARTY: Craig Johnson

Request 5. Reference Exhibit 35, Attachment 1, page 15 of 83 (EKPC 2023 Annual Report). Explain whether the gas fleet winterization has yielded any efficiencies in heat rates, and/or cost savings.

Response 5. Winterization practices of EKPC's combustion turbines increase unit reliability during extreme cold weather events. Most of the winterization practices are through improvements to EKPC's backup fuel oil storage and forwarding systems, heat tracing of critical piping and instrumentation, operational improvements, enhanced operator walkdowns, and inspections. Improvements in winterization practices do not correspond to better heat rates or efficiencies. Good winterization practices do improve EKPC's reliability during times of market volatility resulting from cold weather extremes. It would be difficult to quantify the actual dollars saved due to having better reliability. However, hedging against high market prices and capacity performance ("CP") penalties are important considerations for gas fleet winterization. PJM experienced a 24% generation forced outage rate During Winter Storm Elliot of which 70% was caused by natural gas supply issues to gas-fired resources.[5] PJM witnessed sustained locational marginal prices of $3,700/MWh for several hours. A unit with a 100 MW obligation would have paid $1.48 million to purchase energy assuming it was on forced outage for just four hours. In addition, PJM assessed non-performing resources in the RTO Zone a penalty of $250.69/MW-5-Minute Interval, or $3,008.28/MWh. That same 100 MW unit on forced outage for four hours would have paid an additional $1.2 million in CP penalties.

[5] https://www.pjm.com/-/media/DotCom/library/reports-notices/special-reports/2023/20230717-winter-storm-elliott-event-analysis-and-recommendation-report.pdf

EAST KENTUCKY POWER COOPERATIVE, INC.

CASE NO. 2025-00208

FIRST REQUEST FOR INFORMATION RESPONSE

ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025

REQUEST 6

RESPONSIBLE PARTY: Michelle K. Carpenter

Request 6. Provide the current balance for the Smith 1 regulatory asset.

Response 6. The current balance as of July 31, 2025 for the Smith 1 regulatory asset is $15,078,566.

EAST KENTUCKY POWER COOPERATIVE, INC.
CASE NO. 2025-00208
FIRST REQUEST FOR INFORMATION RESPONSE

ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 7
RESPONSIBLE PARTY: Jacob R. Watson

Request 7. Explain whether EKPC has included any SERP expense for recovery in the application.

Response 7. SERP expenses have been removed from the test year. This adjustment is detailed on Application Exhibit 16 – Attachment JRW-1 Statement of Operations, Schedule 1.09.

EAST KENTUCKY POWER COOPERATIVE, INC.
CASE NO. 2025-00208
FIRST REQUEST FOR INFORMATION RESPONSE

ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 8
RESPONSIBLE PARTIES: Michelle K. Carpenter and Jacob R. Watson

Request 8. Explain whether EKPC seeks to recover in the current application any dues paid to dues-requiring organizations. If so:

a. Confirm that in LG&E rate case 2003-00433, the Commission in its Final Order dated June 30, 2004, relying in part on data broken down by NARUC operating expense category, at pp. 51-52, removed 45.35% of LG&E's dues paid to Edison Electric Institute ("EEI"), for a total exclusion of $88,614, because EEI applied that portion of the dues LG&E paid toward: (i) legislative advocacy; (ii) regulatory advocacy; and (iii) public relations (for purposes of these data requests, hereinafter referred to as "covered activities").

b. Provide a list of each organization ("Dues Requiring Organization") to which EKPC pays dues, and for which it seeks recovery in this docket. For each such Dues Requiring Organization: (1) confirm whether that organization engages in any one or more of the following activities: (i) one or more of the "covered activities" identified above; (ii) advertising; (iii) marketing; (iv) legislative policy research; and/or (v) regulatory policy research; and (2) provide the amount of EKPC dues which that organization applies to such activities, both in dollar terms and percentages of total dues.

c. Explain whether EKPC pays any dues or membership fees to law firms or trade groups which maintain an affiliate engaged in any covered activities.

d. Provide copies of Annual Reports of EEI, and of every other Dues Requiring Organization identified above.

e. Provide a complete copy of invoices received from each Dues Requiring Organization since the conclusion of EKPC's last rate case.

f. Confirm that since 2007, EEI no longer prepares a breakout of its activities by NARUC operating expense category.

i. Provide the allocation EKPC utilized in its last two rate cases to determine the exclusion of particular EEI dues, and provide a narrative explanation of the bases used for these allocations in each rate case.

g. Provide any and all documents in EKPC's possession that depict how each Dues Requiring Organization spends the dues it collects from EKPC, including the percentage that applies to all covered activities.

h. Provide a detailed description of the services each Dues Requiring Organization provided to EKPC since the conclusion of EKPC's last rate case. Of these services or benefits, identify which ones accrue directly to ratepayers, and how.

i. Has EKPC included in operating expenses any amount for: (i) EEI Media Communications, and/or (ii) any similar division of any other Dues Requiring Organization? If so, provide the amount, indicate in which account this has been recorded, and provide a citation to any and all Commission Orders or other authority upon which the Company is relying for the inclusion of such expense in the test period. If not, provide an estimate of how much of the Company's dues are being spent on media or public relations work.

j. State whether EKPC is aware whether any portion of the dues it pays to any Dues Requiring Organization are utilized to pay for any one or more of the following: (i) influencing federal or Kentucky legislation; (ii) media advertising campaigns, public relations, advocacy efforts or other covered activities; and (iii) contributions to other third-party organizations, contractors or affiliates of a Dues Requiring Organization that engages in covered activities.

Response 8.

a. EKPC was not a party to that proceeding and therefore is unable to confirm or deny the statements contained in this request. The Commission's orders speak for themselves.

b. Below is a listing of EKPC's Dues Requiring Organizations for which recovery is sought in this docket.

- America's Power engages in covered activities. For the test year, 10% of America's Power dues or $10,000 are non-recoverable.
- Curtiss Wright – FOMIS Membership does not engage in covered activities.
- Edison Electric Institute (EEI) for USWAG dues, does engage in covered activities. For the test year, 1% of USWAG dues paid directly to EEI or $319 are non-recoverable.
- Electric Power Research Institute (EPRI) does not engage in covered activities.

- Kentucky Association of Electric Cooperative (KEC) does not engage in covered activities.
- Kentucky Coal Association (KCA) engages in covered activities. For the test year, 17% of KCA dues or $209 are non-recoverable.
- Midwest Energy Efficiency Alliance (MEEA) does not engage in covered activities.
- Midwest Ozone Group (MOG) does not engage in covered activities.
- National Renewables Cooperative Organization (NRCO) does not engage in covered activities.
- National Rural Electric Cooperative Association (NRECA) engages in covered activities. For the test year, 10% of NRECA dues or $53,298 are non-recoverable.
- North America Reliability Corporation (NERC) does not engage in covered activities.
- North America Transmission Forum Inc. does not engage in covered activities.
- Southeastern Federal Power Customers Inc. (SFPC) does not engage in covered activities.
- Utility Solid Waste Activities Group (USWAG) engages in covered activities. For the test year, 1% of the dues (that were paid to EEI) were disclosed above.

- Waterways Council Inc. (WCI) engages in covered activities. For the test year, 46% of WCI dues or $1,615 are non-recoverable.

c. EKPC does not pay any dues or membership fees to law firms which maintain an affiliate that is engaged in any covered activities.

d. Objection. EKPC does not collect and retain the requested information. The documents requested are not readily available and would require an extensive and burdensome search.

e. Please see attachment *AG – Nucor DR1 Request 8e – Due Requiring Organization Invoices.pdf* for copies of all invoices received from dues requiring organizations spanning October 2021 through July 2025.

f. Confirmed. During the 2023 test year, EEI did not provide a breakout of its activities by NARUC operating expense category.

g. EKPC does not have any documents in its possession nor is it aware of the specific breakdown of how each of the Dues Requiring Organizations spend the dues it collects beyond the information provided on each invoice. Any of the Dues Requiring Organizations that engage in covered activities have the percentage of those activities included on their invoice copies.

h. The detailed descriptions of the services each Dues Requiring Organization provided to EKPC since the conclusion of its last rate case are provided below.

<u>America's Power</u> - America's Power's mission is to advocate at the federal and state levels on behalf of the U.S. coal fleet and its supply chain. It engages constructively with elected and appointed officials, policymakers, and key stakeholders. It's engagement promotes sound public policies that recognize the importance of the coal fleet and its supply chain. It believes a healthy

mix of reliable, affordable and energy-secure resources is essential for economic growth and national security. Furthermore, it believes that technology innovation is the best strategy to achieve economically sustainable environmental progress.

Curtiss Wright – FOMIS Membership - FOMIS' mission is to be recognized as the industry leader in providing power plants with timely and relevant information to support safe operation and promote operational excellence. Through facilitated information exchange services, FOMIS provides value by assisting in reducing costs, eliminating downtime, and improving efficiency and safety.

Edison Electric Institute (EEI) – USWAG dues - The payments EKPC made to EEI were for USWAG dues. Please see detailed description of services provided by USWAG below.

Electric Power Research Institute (EPRI) - EPRI is a research organization that follows the science to help power society toward a reliable, affordable, and resilient energy future. Rigorously objective in their role and research, EPRI does not advocate for any specific company, sector, or technology. With a foundational mission to benefit society, EPRI delivers independent, objective thought leadership and industry expertise through a highly collaborative approach.

Kentucky Association of Electric Cooperatives (KEC) – KEC is committed to improving the quality of life in Kentucky. KEC's member electric cooperatives provide a high level of electrical service at the lowest possible price through a local, consumer-owned form of business. Kentucky's electric cooperatives serve more than 1.8 million people in 117 of Kentucky's 120 counties. In addition to providing a host of legislative, communications, and training services to Kentucky's electric cooperatives, KEC is affiliated with several organizations that serve Kentucky's electric co-ops, such as Kentucky Living Magazine, United Utility Supply, and Rural Cooperative Credit Union.

Kentucky Coal Association (KCA) - KCA is a non-profit organization whose membership represents both Eastern and Western Kentucky operations that mine coal through surface and underground methods. This diversity helps KCA build a consensus approach in problem solving and dealing with the complex issues facing the industry. KCA traces its origin to a statewide association of coal operators who united their efforts in 1942. KCA's constitution and by-laws were adopted on April 28, 1947 to promote the best interest of coal mining industry in the Commonwealth of Kentucky and all those engaged therein.

Midwest Energy Efficiency Alliance (MEEA) - The MEEA is a collaborative network advancing energy efficiency in the Midwest to support sustainable economic development and environmental preservation. MEEA drives the adaption of sound energy policy, promotes and pilots emerging technologies, and facilitates program best practices. EKPC utilizes its MEEA membership to help inform of best practices in energy efficiency programs.

Midwest Ozone Group (MOG) - The MOG is an affiliation of companies, trade organizations, and associations drawn upon their collective resources to advance the objective of seeking solutions to the development of a legally and technically sound national ambient air quality program. It is the primary goal of MOG to work with policymakers in evaluating air quality policies by encouraging sound science. As members of the business community, the MOG membership has keen interest in ensuring the policymakers appropriately assess the data and information required to evaluate its emission control strategies accurately.

National Renewables Cooperative Organization (NRCO) - NRCO serves it members with renewable energy project origination and power purchase agreements (PPA) negotiations, site selection, site development, legal advice, and finance and accounting expertise. NRCO's PPA origination and development services have resulted in over 1,000 MWs of utility-scale and community renewable projects being installed for cooperatives in over 20 states. NRCO has expertise in projects dealing with wind, solar, biomass, hydro, and coal bed methane, and is always searching for new innovations to provide value to its members. Today, NRCO has 21 members that have a combined peak load of nearly 40 GWs and serve more than 7.6 million homes and businesses. Interest in renewable energy among cooperatives has grown substantially and NRCO's members are benefiting from cost reductions, policy improvements, and a stronger understanding of how to reliably integrate renewables into the U.S. Bulk Electric System (BES). NRCO is motivated to create innovative solutions to lead its members through the maze of storage applications, new grid infrastructure projects, evolving federal and state policies, and emerging technologies that will solidify a clean and reliable grid. NRCO executed multiple Requests for Proposals (RFPs) for EKPC in search of the most economic renewable power supply available to serve EKPC's load. Results of those RFPs were utilized in recent CPCN cases, which allowed EKPC to pursue additional generation for reliable and economic energy services to its Owner-Members.

National Rural Electric Cooperative Association (NRECA) - NRECA is a national trade association that represents America's nearly 900 local electric cooperatives. These co-ops power 56% of the American landscape and serve 42 million people. NRECA works to advocate for electric co-op priorities in Washington and help ensure the long-term success of local co-ops and rural communities.

North America Electric Reliability Corporation (NERC) - NERC is a non-for-profit international regulatory authority whose mission is to assure the effective and efficient reduction of risks to the reliability and security of the grid. NERC develops and enforces Reliability Standards, annually assesses seasonal and long-term reliability, monitors the bulk power system through system awareness, and educates, trains, and certifies industry personnel.

North American Transmission Forum Inc. (NATF) - Membership in the NATF provides EKPC opportunities to improve transmission system reliability, regulatory compliance, operational performance, and workforce knowledge. This is achieved through collaboration and knowledge sharing of best practices with other member companies. As a member, EKPC has access to many resources and tools that can also assist in improvement efforts. The organization provides multiple training opportunities through seminars, workshops, and working groups that help develop EKPC's workforce. Cost and efficiency benefits can also be achieved through reduced duplication of efforts by sharing tools, expertise, and research.

Southeastern Federal Power Customers Inc. (SFPC) - SFPC is an organization of electric utilities, primarily composed of public utilities or cooperatives, that serves as a liaison to the Southeastern Power Administration (SEPA) and U.S. Army Corps of Engineers (USACE). SFPC keeps members informed of the activities of SEPA and USACE as they affect the availability and cost of power from hydro resources, included those contracted by EKPC from SEPA. SFPC also monitors Congressional legislation affecting hydropower throughout the SEPA region.

Utility Solid Waste Activities Group (USWAG) - The USWAG is an association primarily dedicated to advancing and improving the management of wastes and the beneficial use of materials associated with the generation, transmission, or distribution of electricity and natural gas. USWAG's primary mission is to promote public policies, based on sound science, that protect human health and the environment in a flexible and cost-effective manner under the Resource Conservation and Recovery Act, the Comprehensive Environmental Response, Compensation, Liability Act, the Toxic Substances Control Act, the Hazardous Materials Transportation Act, and other related statutes.

Waterways Council Inc. (WCI) - WCI is a national organization that advocates for a modern, efficient, and well-maintained inland waterways system. Striving to keep the system operating efficiently and reliably today and for decades to come, WCI works to educate policymakers in Washington, DC and around the United States, the news media and general public about the waterways system's critical importance and the need to modernize locks and dams.

i. No. EKPC has not booked any invoices identified as EEI Media Communications to operating expense.

j. As reflected in response to Request 8b., EKPC excluded the associated covered activities portion of dues based upon the information provided on the invoices from those companies whom engage those activities.

EAST KENTUCKY POWER COOPERATIVE, INC.

CASE NO. 2025-00208

FIRST REQUEST FOR INFORMATION RESPONSE

ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 9
RESPONSIBLE PARTY: Denver York

Request 9. For each proposed project involving: (i) transmission smart grid / grid enhancement; or (ii) transmission system hardening in the instant docket, provide all cost-benefit analyses the Company may have conducted, in native Excel spreadsheets, with all formulas intact.

Response 9. EKPC has not implemented, nor plans to implement, any transmission smart grid / grid enhancement or transmission system hardening projects solely for those purposes. Smart grid or grid enhancement and transmission system hardening is an ancillary benefit to projects EKPC implements and no cost-benefit analyses are performed on those ancillary benefits of smart grid / grid enhancements or transmission system hardening benefits.

EAST KENTUCKY POWER COOPERATIVE, INC.
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FIRST REQUEST FOR INFORMATION RESPONSE

ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 10
RESPONSIBLE PARTY: Denver York

<u>Request 10.</u> Explain whether EKPC is investigating the use of advanced technologies such as LIDAR, artificial intelligence, and satellite monitoring to reduce costs in vegetation management. For example, in the article cited in the footnote below,[6] the author discusses how prudent use of such technologies can create a pro-active, predictive approach to vegetation management that can both improve reliability and reduce costs.

<u>Response 10.</u> EKPC adopted advanced technologies such as LiDAR and satellite monitoring to improve vegetation management efficiency and reduce costs. The entire transmission system undergoes annual satellite scans to monitor growth on both the floor and sides of rights-of-way, track herbicide effectiveness, locate trees that could contact lines if they fell, and identify easement encroachments.

Currently, EKPC does not apply artificial intelligence to analyze this data or guide vegetation management decisions.

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[6] https://issuu.com/docs/78b84a041a64158a3f104aca2849c1a5/22?fr=xKAE9_zMzMw&oly_enc_id=0715D6334267J7U

The combined use of LiDAR and satellite data is expected to allow EKPC to eliminate one of the two aerial helicopter vegetation inspections routinely conducted each year. This change reduces costs, minimizes safety risks associated with helicopter patrols, and enhances reliability across the transmission system.

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FIRST REQUEST FOR INFORMATION RESPONSE

ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 11
RESPONSIBLE PARTY: Craig Johnson

Request 11. Explain whether any of EKPC's generation resources (both current, and those for which it has received a CPCN) have black start capability.

Response 11. EKPC has four existing units that have black start capability; Smith Units 4,5,6, and 7. EKPC only offers two of these units into PJM as being black start capable. The new Liberty Station will have the ability to black start Unit 12 but EKPC, at this time, is not planning on offering this unit into PJM as being black start capable.

EAST KENTUCKY POWER COOPERATIVE, INC.
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FIRST REQUEST FOR INFORMATION RESPONSE

ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 12
RESPONSIBLE PARTY: Michelle K. Carpenter

Request 12. For all payments to vendors that EKPC makes with its own credit cards, provide the total amount of points or credits the Company has accrued from the credit card issuer for each of the past three years, and provide the accounting and journal entries for these credits.

a. Explain whether any employees are allowed to accrue points or any other remuneration arising from use of company credit cards.

Response 12. EKPC receives rebates based upon the annual dollar volume of activity on company credit cards. Listed below are the rebates associated with activity occurring for each of the past three years. It should be noted that rebates are recorded on EKPC's books in the year received. Please see attachment *AG - Nucor DR1 Request 12 - Rebates.pdf* for copies of the journal entries.

Rebate Received	Amount	Activity Year	Journal ID
1/27/2023	31,646.35	2022	ARDJ061345
2/1/2024	48,338.50	2023	ARDJ065214
1/31/2025	45,939.71	2024	ARDJ068068

EKPC notes that employees do not accrue points or any other remuneration through use of company credit cards.

EAST KENTUCKY POWER COOPERATIVE, INC.
CASE NO. 2025-00208
FIRST REQUEST FOR INFORMATION RESPONSE

ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 13
RESPONSIBLE PARTY: Jeffrey W. Wernert, Jr.

Request 13. Provide a discussion regarding the methodology by which EKPC intends to allocate the requested revenue increase to the sixteen member-owners.

Response 13. As discussed on pages 15-17 of Mr. Wernert's Direct Testimony, EKPC utilized the Cost-of-Service study as a guide for allocating the requested revenue increase of 7.49% to each of EKPC's wholesale classes of customers which aligns with EKPC's wholesale tariff rate offerings. EKPC's Owner-Members can take service under one or more of EKPC's wholesale rates based on which offering is best suited to fit their requirements. The revenue increase allocation to each Owner-Member is dictated by how many of their retail members take service under each of EKPC's wholesale rates and the energy and demand sold to those members during the 2023 historical test period. The overall increase to each Owner-Member is detailed in the passthrough case dockets for each Owner-Member that were filed in parallel with this proceeding.

EAST KENTUCKY POWER COOPERATIVE, INC.
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FIRST REQUEST FOR INFORMATION RESPONSE

ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 14
RESPONSIBLE PARTY: Michelle K. Carpenter

Request 14. Explain whether EKPC incurred any monetary losses during Winter Storm Elliott. If so, provide details regarding each such item of loss, as well as a net calculation that also takes into consideration any additional revenues received during the storm.

Response 14. EKPC had units that experienced unplanned outages during PJM declared Winter Storm Elliott Performance Assessment Interval (PAI) events due to natural gas constraints and mechanical issues, which resulted in capacity non-performance assessments. Other EKPC units performed in excess of their required capacity obligations during the events, which made them eligible for capacity performance bonuses. EKPC also maintains insurance coverage for certain forced outages that occur during PAI events. After the FERC settlement and other related adjustments which occurred in 2023 and 2024, net capacity related revenue from the event, including insurance proceeds, was $17.6 million. However, EKPC also encountered extremely high purchased power expense during the event which resulted in FAC forced outage and highest cost unit disallowances. Unrecovered purchased power expense from the event, net of outage insurance proceeds was $30.4 million. Total net loss from the Winter Storm Elliott event was approximately $12.8 million. See *AG - Nucor DR1 Request 14 – Winter Storm Elliott.pdf* for detailed calculations.

EAST KENTUCKY POWER COOPERATIVE, INC.
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FIRST REQUEST FOR INFORMATION RESPONSE

ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 15
RESPONSIBLE PARTY: Jacob R. Watson

Request 15. Refer to Attachment ASC-1, in which the EKPC Board approved the filing of a request to increase rates using a historical calendar year 2023 as the test year.

a. Provide all reasons and explain why the Company chose to use a historical calendar year 2023 as the test year instead of a more current 12 month period, such as calendar year 2024 or the twelve months ending March 31, 2025.

b. Provide a copy of all notes, memos, reports, analyses, and other documents relating to EKPC's choice of 2023 as the test year for this case.

c. Provide a copy of all analyses developed to assess the effect on the Company's revenue requirement using 12-month periods other than the calendar year 2023 as the test year. If no such analyses were performed, explain why they were not.

Response 15.

a. EKPC selected 2023 as the test year from the standpoint of timing. EKPC strives to use audited financial statements for test years. Audited financial statements for 2024 were not available until March 28, 2025. As a cooperative striving to manage costs, EKPC does not have the resources to begin working on a rate case on April 1, 2025, and be prepared to file the full rate case just four months later, on August 1, 2025. Work began on this rate case in 2024. EKPC believes 2023 is a representative test year.

b. EKPC began work on the COSS in April of 2024. When work began on this rate case, 2023 was the most recent calendar year of data. With that, there are no notes, memos, reports, analyses, or other documents that exist pertaining to the selection of the test year as EKPC simply selected the most recent year for the test year.

c. Analysis was not performed for revenue requirements other than the 2023 test year. EKPC identified a need for a rate case and the most recent audited financial statements were used to develop that rate case. EKPC did not conduct any exercises in “cherry picking” a test year to maximize revenue increases or tailor rates based upon a specific rate class or Owner-Member. EKPC did not identify any anomalies that would deem 2023, in its entirety, to be non-representative.

EAST KENTUCKY POWER COOPERATIVE, INC.
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FIRST REQUEST FOR INFORMATION RESPONSE

ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 16
RESPONSIBLE PARTY: John J. Spanos

Request 16. Refer to the Direct Testimony of Anthony Campbell at 7 wherein he addresses Amendment 5 to the Company's Wholesale Power Contract (WPC) extending the term of the WPC to January 1, 2068 and states: "Amendment 5 extends the term of the current WPC to January 1, 2068 – an additional seventeen years over the prior term. This will allow EKPC to borrow money from RUS at lower rates and depreciate assets for a longer period of time, which will help to keep rates lower for Owner-Members and their retail members." Explain how Amendment 5 was reflected in the proposed depreciation rates in this proceeding. Cite specifically to the parameters, including the probable retirement dates and life spans for the Company's production plant accounts, reflected in Parts III, IV, V, and VI of Attachment JJS-1, the depreciation study

Response 16. The extension of the Company's Wholesale Power Contract does not have an impact on the expected life of all property equipment for depreciation purposes. The survivor curves for all assets and the probable retirement dates relate to the expected life of the existing and future assets for efficient and economic purposes in order to match asset utilization to asset recovery. The WPC will allow EKPC to secure longer term debt.

EAST KENTUCKY POWER COOPERATIVE, INC.

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FIRST REQUEST FOR INFORMATION RESPONSE

ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 17
RESPONSIBLE PARTY: Jacob R. Watson, Objection (d) - Legal

Request 17. Refer to the Direct Testimony of Anthony Campbell at 6 wherein the following question and answer are reflected:

> "Q. HAVE THERE BEEN OTHER SIGNIFICANT DEVELOPMENTS THAT HAVE AFFECTED EKPC'S FINANCIAL CONDITION?
>
> A. December, January, and February are the months with the highest expected sales based on normal weather; meaning, the heating season is critical to EKPC's financial well-being. In 2023 and 2024, EKPC experienced lower sales due to milder than normal weather, specifically in the heating season. Weather during the heating season was 24.5% warmer than normal in 2023 and 21.9% warmer than normal in 2024, resulting in lower sales than expected in both years."

a. Confirm the Company calculated temperature normalized revenues for 2023 and 2024 and that the Witness Campbell relied on those calculations for his testimony. If confirmed, then provide all models and workpapers in live Excel format with all formulas intact, notes, analyses, studies, and reports that address and/or otherwise reflect temperature normalized revenues.

b. Confirm the Company calculates temperature normalized revenues in the normal course of business. If confirmed, then describe the calculations, timing of the calculations, distribution of results, how the results are communicated, and how the results are used, for what purpose, and by whom.

c. Explain why the Company did not include proforma adjustments to temperature normalize revenues. In addition, provide a copy of all notes, memos, reports, studies, analyses, and/or all other documents relating to the Company's decision not to include a temperature normalization adjustment in this proceeding.

d. Calculate and provide the proforma adjustments necessary to temperature normalize revenues in the test year in an Excel workbook in live format and with all formulas intact.

Provide a copy of all temperature normalization analyses for calendar years 2023 and 2024 prepared by or on behalf of the Company in conjunction with this proceeding.

Response 17.

a. Mr. Campbell did not reference temperature normalized revenue in his testimony. Mr. Campbell referenced actual HDD as compared to National Oceanic and Atmospheric Administration's ("NOAA") calculated normal. EKPC does not normalize historic revenues.

b. EKPC does not normalize historic revenues.

c. In using a historic test year, actuals are presented as the basis of revenue requirements. EKPC does not weather normalize revenues, or expenses of historic data. If EKPC were to normalize revenues based upon the assumptions of normal weather, normalized retail Owner-Member counts, and other assumptions, EKPC would file a forecasted test year instead of a historic test year.

d. Objection. This request is overly broad and unduly burdensome in light of the fact that the Commission has never accepted an electric weather normalization adjustment in a litigated historic test year proceeding. The request would require EKPC to undertake original work not previously performed or contemplated. Given the previous Commission decisions on this subject, the requested adjustments would likely not be accepted. The request would require EKPC to expend considerable effort for no reasonable purpose and therefore, EKPC objects to providing the requested adjustments.

e. EKPC did not conduct any analysis to normalize weather or revenues in conjunction with this proceeding.

EAST KENTUCKY POWER COOPERATIVE, INC.
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FIRST REQUEST FOR INFORMATION RESPONSE

ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 18
RESPONSIBLE PARTY: Objection – Legal; Response – Jacob R. Watson

Request 18. Provide a schedule for each month during the test year and each month after the test year showing for each member cooperative and in total for all member cooperatives: ultimate customers by class; actual member revenues by class and member tariff, e.g., base revenues, FAC revenues, environmental surcharge revenues, etc.; and actual member revenues by class and member tariff flowed through, remitted to, and recorded by EKPC.

Response 18. Objection. This request is overly broad and unduly burdensome. Without waiving this objection, see attachment *CONFIDENTIAL AG - Nucor DR1 Request 18 - Monthly Member Data.xlsx* for monthly data.

EAST KENTUCKY POWER COOPERATIVE, INC.
CASE NO. 2025-00208
FIRST REQUEST FOR INFORMATION RESPONSE

ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 19
RESPONSIBLE PARTY: Objection – Legal

Request 19. Provide a schedule for each month during the test year and each month after the test year showing for each member cooperative and in total for all member cooperatives: temperature normalized member revenues by class and member tariff, and temperature normalized member revenues by class and member tariff that would have been flowed through, remitted to, and recorded by EKPC.

Response 19. Objection. This request is overly broad and unduly burdensome in light of the fact that the Commission has never accepted an electric weather normalization adjustment in a litigated **historic** test year proceeding. The request would require EKPC to undertake original work not previously performed or contemplated. Given the previous Commission decisions on this subject, the requested adjustments would likely not be accepted. The request would require EKPC to expend considerable effort for no reasonable purpose and therefore, EKPC objects to providing the requested adjustments.

EAST KENTUCKY POWER COOPERATIVE, INC.
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FIRST REQUEST FOR INFORMATION RESPONSE

ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 20
RESPONSIBLE PARTY: Objection – Legal; Response – Jacob R. Watson

Request 20. Provide a schedule for each month during the test year and each month after the test year for EKPC showing actual revenues from each member cooperative by EKPC tariff.

Response 20. Objection. This request is overly broad and unduly burdensome. Without waiving this objection, see attachment *CONFIDENTIAL AG - Nucor DR1 Request 18 - Monthly Member Data.xlsx* for monthly data.

EAST KENTUCKY POWER COOPERATIVE, INC.
CASE NO. 2025-00208
FIRST REQUEST FOR INFORMATION RESPONSE

ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 21
RESPONSIBLE PARTY: Jacob R. Watson

Request 21. Confirm the Company made no proforma adjustments to annualize revenues to reflect customer growth through the end of the test year. If confirmed, then explain why it did not do so.

Response 21. No proforma adjustments were made to annualize the growth, or contraction, of retail Owner-Members. EKPC identifies that the number of retail Owner-Members fluctuates from month to month, increasing and decreasing. EKPC has found that actual, allowable expenses should be paired with actual revenues so that the adjustments are known and measurable rather than estimated.

EAST KENTUCKY POWER COOPERATIVE, INC.

CASE NO. 2025-00208

FIRST REQUEST FOR INFORMATION RESPONSE

ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025

REQUEST 22

RESPONSIBLE PARTY: Jacob R. Watson

<u>Request 22.</u> Calculate and provide the proforma adjustments necessary to annualize revenues to reflect customer growth through the end of the test year in an Excel workbook in live format and with all formulas intact.

<u>Response 22.</u> EKPC believes that actual allowable expenses should be paired with actual revenues that were incurred during the historic test year used in the development of this case. Adjusting revenues for annualized customer counts would create a disconnect between the revenues collected and the costs incurred by EKPC during the test year.

EAST KENTUCKY POWER COOPERATIVE, INC.
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FIRST REQUEST FOR INFORMATION RESPONSE

ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 23
RESPONSIBLE PARTY: Objection – Legal; Response - Jacob R. Watson

Request 23. Calculate and provide the proforma adjustments necessary to annualize revenues to reflect customer growth through June 2024, December 2024, and June 2025 in an Excel workbook in live format and with all formulas intact.

Response 23. Objection. This request is overly broad and unduly burdensome and seeks information that is not relevant to this proceeding. EKPC has found that actual allowable expenses should be paired with actual revenues so that it reflects adjustments that are known and measurable rather than estimated. A historic test year was used in the development of this case. Adjusting revenues for customer counts would not keep the revenues consistent with the costs incurred.

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REQUEST 24
RESPONSIBLE PARTY: Objection – Legal; Response – Jacob R. Watson

Request 24. Refer to the Direct Testimony of Anthony Campbell at 9-11 regarding new member cooperative loads.

a. For each new load identified, provide the member cooperative revenues by tariff and the EKPC revenues by tariff for each month January 2023 through June 2025.

b. Describe whether and if so, how, the new loads are reflected in test year revenues. If so, provide the EKPC base revenues by tariff by month included in the test year for each of the new loads.

Response 24.

a. Objection. This request seeks information for time periods not relevant to this proceeding. Without waiving this objection, none of the referenced new member cooperative loads came online during the 2023 test year. Only two of the six referenced projects have come online through June 2025.

b. None of the referenced new member cooperative loads came online during the 2023 test year. There was no impact on revenues in the test year.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 25
RESPONSIBLE PARTY: Jacob R. Watson

Request 25. Refer to the Direct Testimony of Anthony Campbell at 12 regarding the new ERA funding. Describe whether and if so, how the new ERA funding is reflected in the test year, e.g., as a reduction to CWIP and/or plant in service.

Response 25. To date, EKPC has not received any New ERA funding. In 2023, EKPC did not receive any New ERA funding and had not incurred expenses associated with the projects New ERA funding supports.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 26
RESPONSIBLE PARTY: Jacob R. Watson

Request 26. Refer to the Direct Testimony of Anthony Campbell at 12-13. Describe how the rebuilding of 167 miles of transmission lines, 23 substations, communications systems at multiple locations, 15 miles of new transmission lines, and 8 new substations control are reflected in the filing. In addition, specifically address whether the Company reflected savings in O&M expenses, e.g., maintenance expenses due to these new investments.

Response 26. Projects that were completed and in service before or during the 2023 test year are represented in the revenue requirements. Projects that were completed and in service in 2024 are not represented in this proceeding. EKPC does not expect to see a reduction in overall O&M expense for its transmission/distribution assets. Reduction in cost for repair of any individual asset is offset by the continuing aging of the remainder of assets on the system. See below for a table detailing the year the referenced projects were completed.

	2022	2023	2024
Miles of Transmission Line Rebuild	42.03	60.84	64.16
Miles of New Transmission Lines	5.6	7.25	2.18
Substation Rebuilds	9	11	3
New Substations	2	3	3

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REQUEST 27
RESPONSIBLE PARTY: Jacob R. Watson

<u>Request 27.</u> Refer to the Direct Testimony of Jacob Watson at 13 wherein he states: "It is EKPC's understanding that, when utilizing a historic test period, the Commission will recognize known and measurable changes for a period up to six months after the end of the test year." Provide the source(s) for this understanding and a cite to and copy of specific rules, orders, and all other documents that informed EKPC's understanding.

<u>Response 27.</u> Please refer to the April 5, 2024 Order in Case No. 2023-00147,,[7] where the Commission explains there are provisions for adjustments outside the test year and the Commission gives full consideration for those adjustments. Additionally, please see KRS 278.192 and 807 KAR 5:001, Section 16.

[7] Case No. 2023-00147, *In the Matter of: Electronic Application of Taylor County Rural Electric Cooperative Corporation for a General Adjustment of Rates,* April 5, 2024 Order, at 3 , (Ky. P.S.C., Apr. 5, 2024).

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 28
RESPONSIBLE PARTY: Cliff Scott

Request 28. Refer to Exhibit 36, which provides a copy of the Company's monthly managerial reports providing financial results of operation for each month in the test year. Provide a copy of the Company's monthly managerial reports providing financial results of operations for each month after the test year.

Response 28. See attachment *AG - Nucor DR1 Request 28 - Managerial Reports.pdf*.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 29
RESPONSIBLE PARTY: Objection – Legal; Response – Michelle K. Carpenter

Request 29. Provide a trial balance with all balance sheet and income statement accounts and subaccounts for each month from January 2022 through December 2024 and each month thereafter for which actual information is available and as actual information for each subsequent month is available throughout the pendency of this proceeding.

Response 29. Objection. This request is overly broad, unduly burdensome, duplicative of financial information already provided in this case, and otherwise publicly available from annual reports and auditor's reports on the Commission's website. Without waiving said objection, EKPC is providing its annual trial balances for 2022, 2023, 2024, and the first seven months of 2025.

Please see Excel spreadsheet *AG - Nucor DR1 Request 29 - Trial Balance.xlsx* for all general ledger account balances for the years ended December 31, 2022, 2023, 2024, and 2025 to date. It should be noted that EKPC only provided year-end balances for 2022 through 2024 and year-to-date 2025 as its standard monthly trial balance reports provide year-to-date balances of all revenue and expense accounts, not monthly activity.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 30
RESPONSIBLE PARTY: Thomas J. Stachnik

Request 30. Refer to Application Exhibit 16 Attachment JRW-1 Statement of Operations at Schedule 1.04 (pages 9 of 36) which lists the outstanding long-term debt issues as of December 31, 2023 and the computation of annualized interest costs as of December 31, 2023 and June 30, 2024.

a. Provide separately in the same format with all formulas intact calculations of the actual debt outstanding and annualized interest calculations by issuance at December 31, 2024 and June 30, 2025.

b. Provide a copy of a loan agreement applicable to each type of loan listed including RUS, FFB, CFC, unsecured credit facility, and private placement bonds.

c. For each loan listed, provide a description of the lender minimum requirements applicable to each including TIER, OTIER, DSC, and other as well as the number of periods of such requirements used to determine adherence (e.g. must meet 2 out of last 3 years).

d. For the unsecured credit facility that is based on variable interest rates, define the variable interest rate used and identify the source of the variable interest rate used to invoice EKPC.

e. Provide copies of the source invoices utilized to reflect the balances and interest rates for each issuance.

f. Provide copies of the most recently received invoices for each of the outstanding long-term debt issuances. Provide copies of the most recently received invoices for any issuances after June 30, 2024 as well.

Response 30.

a. Please see attachment *AG - Nucor DR1 Request 30a - Schedule 1.04 dated 12.31.2024.xlsx*

b. Please see attachments:

RUS Guaranteed FFB Debt: *AG - Nucor DR1 Response 30b - EKPC RUS Fourth Amended and Restated Loan Contract.pdf*

Private Placements: *AG - Nucor DR1 Request 30b - 2019 Bond purchase agreement (EKPC) (Final).pdf*

Syndicated Bank Debt: *AG - Nucor DR1 Request 30b - 2022 Amended & Restated Credit Agreement.pdf*

Secured CFC Debt: *AG - Nucor DR1 Request 30b - EKPC CFC Secured Term Loan agreement (No. 9067).pdf*

All secured Debt: *AG - Nucor DR1 Request 30b - EKPC Indenture of Mortgage dated 10-11-2012 .pdf*

c. **RUS Guaranteed FFB Debt:** No additional financial targets other than that in indenture.

Private Placements: No additional financial targets other than that in indenture

Syndicated Bank Debt: Average DSC as defined in agreement for best 2 out of last 3 fiscal years of 1.1. Also minimum Total Members' Equity of $350,000,000.

Secured CFC Debt: Average DSC as defined in the agreement for best 2 out of last 3 fiscal years of 1.0.

All secured Debt: Covenant as described in Section 13.14 of the Indenture to set rates reasonably expected to yield Margins for Interest for each fiscal year of the Company equal to at least 1.10 times Interest Charges for such period.

d. The interest rate is based on "Term SOFR" published by the "Term SOFR Administrator" (the CME Group Benchmark Administration Limited (CBA) (or a successor administrator of the Term SOFR Reference Rate selected by the Administrative Agent in its reasonable discretion) with a 10-bps spread adjustment to get to "Adjusted Term SOFR". Details and definitions are in the credit agreement, which is included in attachment AG - Nucor DR1 Request 30b - 2022 Amended & Restated Credit Agreement.pdf.

e. Please see attachment *AG - Nucor DR1 Request 30e - Source Invoices.pdf*. Note that the NCREBs rate on the invoice is different than the spreadsheet due to the IRS rebate EKPC receives.

f. Please see attachment *AG - Nucor DR1 Request 30f - Most Recent Invoices.pdf*.

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REQUEST 31
RESPONSIBLE PARTY: Thomas J. Stachnik

Request 31. Provide a schedule of principal payments on long-term debt made during the test year and separately to date since the end of the test year by debt issuance by month.

Response 31. Please see attachment *AG - Nucor DR1 Request 31 - Principal Payments Schedule 2023-2025.pdf.*

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REQUEST 32

RESPONSIBLE PARTY: **Thomas J. Stachnik**

Request 32. Indicate the balance of funds available to draw in the future from all current loans.

Response 32. As of August 31, 2025, EKPC has $364.9 million of funds available to draw from the Credit Facility.

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REQUEST 33
RESPONSIBLE PARTY: Thomas J. Stachnik

Request 33. Indicate the date and amount of the next anticipated loan draw or debt issuance to be received from any of the Company's loan providers and provide copies of all correspondence between EKPC and the loan providers in regards to such.

Response 33. EKPC submitted two RUS loan applications that were approved - a generation loan for $109 million and a transmission loan for $319 million. EKPC anticipates closing on these loans in the next few months. EKPC projects to advance approximately $100 million of these funds by the end of 2025, but has not formally submitted these requests.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 34
RESPONSIBLE PARTY: Thomas J. Stachnik

Request 34. Provide copies of the 2024 and 2025 calendar year Operating and Capital Budgets.

Response 34. Please see attachment *AG - Nucor DR1 Request 34 - 2024 Budgets* and *AG - Nucor DR1 Request 34 - 2025 Budgets.pdf.*

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 35
RESPONSIBLE PARTY: Michelle K. Carpenter

Request 35. Provide a breakdown of EKPC's wage expenses for the last five calendar years breaking out regular time, overtime, and other/vacation payout time.

Response 35. Please see attachment *AG – Nucor DR1 Request 35 – Payroll Reg, OT, and Accrued.xlsx* for a breakdown of EKPC's wage expenses by regular time, overtime, and payroll/vacation accruals for years 2020 through 2024.

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REQUEST 36

RESPONSIBLE PARTY: Jacob R. Watson

Request 36. Refer to the Direct Testimony of Jacob Watson at 17 wherein he describes the post test year adjustment to reflect increases in the Company's workforce broken down between full time and part time employees. Provide a staffing history by month from January 2022 through June 2025 broken down between full time and part time employees and further broken down by function and department.

Response 36. Please refer to EKPC's response to Item 60.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 37
RESPONSIBLE PARTIES: Jacob R. Watson and Michelle K. Carpenter

<u>Request 37.</u> Refer to the Direct Testimony of Jacob Watson at 21-22 wherein he describes the removal of outage insurance reimbursements from the test year.

a. Confirm that the outage insurance expense was included in the base revenue requirement.

b. Explain why the outage insurance reimbursements should not remain in the test year revenue requirement or deferred and amortized to the base revenue requirement.

c. Describe the Winter Storm Elliott costs incurred. Indicate if the costs were recorded by category, e.g., purchased power expense, maintenance expense, capital costs, etc.

d. Indicate if the Company recovered any of the Winter Storm Elliott costs incurred in 2022 through the ratemaking process. If so, describe how the costs were recorded and recovered, e.g., recorded as purchased power expense and recovered through the FAC.

e. Indicate if the Company deferred any of the Winter Storm Elliott costs incurred in 2022.

<u>Response 37.</u>

a. EKPC confirms that outage insurance expense was included in the base revenue requirement.

b. Reimbursements from Capacity Performance Outage Insurance and Business Interruption/Outage Insurance are rare. This is the first time that EKPC has filed a claim under the Capacity Performance Outage Insurance or Business Interruption/Outage Insurance. Since this is revenue that EKPC cannot reasonably expect to receive every year, EKPC believes these revenues should be removed from the test year. This is also true to the penalties and bonuses that were received from the Winter Storm Elliott event. Conversely, insurance expense is a normal cost of doing business and EKPC can expect to have that expense every year.

c. Costs incurred as a result of Winter Storm Elliott by category primarily consisted of PJM Non-Performance Assessments and purchased power expense. Maintenance expense during the storm was immaterial and mainly consisted of direct labor.

d. EKPC recovered a portion of its purchased power expense related to Winter Storm Elliot through the fuel adjustment clause (FAC). Approximately $35.1 million was disallowed from recovery due to the FAC's highest cost unit and forced outage exclusions.

e. EKPC did not request deferral of any Winter Storm Elliott expenses.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 38
RESPONSIBLE PARTY: Jacob R. Watson

Request 38. Refer to the Direct Testimony of Jacob Watson at 22 wherein he addresses the calculation of the adjustment to normalize purchased power costs in excess of EKPC's highest cost generating unit available to be dispatched to serve native load. Indicate if any of the costs used to calculate the normalized expense were due to Winter Storm Elliott. If so, describe the costs. If so, provide the amount of the Winter Storm Elliott purchased power expense in excess of EKPC's highest cost generating unit available.

Response 38. EKPC recognizes that Winter Storm Elliott was an anomaly that should be excluded from the normalization of purchased power costs in excess of EKPC's highest cost generation unit. EKPC did not use December 2022, the month in which Winter Storm Elliott occurred, in this calculation. As detailed in Application Exhibit 16 – Attachment JRW-1 Statement of Operations, Schedule "1.20 - Forced Outage & High PP", December 2022 was substituted with the average of the five other December months. Include in that average is the month of December from 2018, 2019, 2020, 2021, and 2023.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 39
RESPONSIBLE PARTY: Jacob R. Watson

Request 39. Refer to the Direct Testimony of Jacob Watson at 23 wherein he addresses the Company's adjustment to remove the PJM performance bonuses and penalties.

a. Provide all reasons why the PJM performance bonuses and penalties should be removed.

b. Indicate whether the Company is aware that the Commission authorized Duke Energy Kentucky to include Billing Line Items for PJM performance bonuses and penalties in its FAC and PSM riders.

Response 39.

a. EKPC is proposing to remove all PJM performance bonuses and penalties from the test year considering they are non-recurring expenses and revenues that would not be incurred on an annual basis. Additionally, the Commission found that ratepayers should not bear the burden of performance related penalties.[8] While EKPC does not have any retail customers, EKPC found it reasonable to remove these expenses to best align with Commission precedent.

b. EKPC is aware that the Commission issued its Final Order in Case No. 2024-00285. However, EKPC notes that the Commission's Order outlined that the inclusion of the performance related billing line items into the Rider PSM should not be included so that they can be more thoroughly examined.[9]

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[8] See Case No. 2024-00285, *Electronic Application Of Duke Energy Kentucky, Inc. To Become A Full Participant In The PJM Interconnection LLC, Base Residual And Incremental Auction Construct For The 2027/2028 Delivery Year And For Necessary Accounting And Tariff Changes*, May 16, 2025 Order at 30 (Ky. P.S.C. May 16, 2025).

[9] See Case No. 2024-00285, *Electronic Application Of Duke Energy Kentucky, Inc. To Become A Full Participant In The PJM Interconnection LLC, Base Residual And Incremental Auction Construct For The 2027/2028 Delivery Year And For Necessary Accounting And Tariff Changes*, May 16, 2025 Order at 30-31(Ky. P.S.C. May 16, 2025).

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 40
RESPONSIBLE PARTY: Michelle K. Carpenter

Request 40. Provide the amount of contract labor expense (with and without right-of-way "ROW" maintenance) for each of the 2021-2024 calendar years and for 2025 to date.

Response 40. Please see attachment *AG – Nucor DR1 Request 40 – Contract Labor Expense.xlsx* for the contract labor expense (with and without ROW maintenance) for the calendar years of 2021 through 2024, and for year-to-date July 31, 2025.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 41
RESPONSIBLE PARTY: Michelle K. Carpenter

Request 41. List any regulatory assets or regulatory liabilities by month during the test year, subsequent to the test year, or currently subject to pending Commission approval. If there were any, please include in the list citations to the authorities relied upon to create the regulatory asset or liability, the remaining balances for each, the monthly amortization expense for each and the expected date that each regulatory asset or liability will be fully amortized.

Response 41. Please see attachment *AG – Nucor DR1 Request 41 – Regulatory Assets & Liabilities.xlsx* for a listing of all regulatory assets and liabilities in existence during the test year, subsequent to the test year, and currently subject to pending Commission approval. Included in the attachment are the citations relied upon to create the regulatory assets or liabilities, the monthly amortization expense, if applicable, expected date to be fully amortized, and the remaining balances as of July 31, 2025. It should be noted that the attachment includes regulatory assets and liabilities related to the fuel adjustment clause and environmental surcharge, which are not recovered through base rates.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 42
RESPONSIBLE PARTY: John J. Spanos

Request 42. Refer to Attachment JJS-1 at VI-4 through VI-7 and at VIII-2 as part of the Gannett Fleming Depreciation Study attached to the Direct Testimony of John J. Spanos.

a. Provide an electronic version of these schedules in an Excel workbook in live format and with all formulas intact.

b. Provide all workpapers in support of the terminal and interim retirement amounts and percentages reflected in the table on page VIII-2 in electronic format with all formulas intact, including, but not limited to, the calculations of estimated decommissioning costs for the production plant by site location and/or generating unit, the escalation of current dollar estimated decommissioning costs to future dollars, and the calculation of the weighted terminal net salvage, weighted interim net salvage, and the sum of terminal and interim net salvage.

Response 42.

a. Please see attachments *AG - Nucor DR1 Request 42 – Table 1.xlsx* and *AG – Nucor DR1 Request 42 – Table 2.xlsx.*

b. Please see attachments *AG - Nucor DR1 Request 42 – Terminal Calc.xlsx* and *AG - Nucor DR1 Request 42 – Interim Calc.xlsx.*

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 43
RESPONSIBLE PARTY: John J. Spanos

Request 43. Refer to Attachment JJS-1 at VI-4 through VI-7 and at VIII-2 as part of the Gannett Fleming Depreciation Study attached to the Direct Testimony of John J. Spanos.

a. Provide a version of these schedules without terminal net salvage on the production plant accounts. Provide these schedules in an Excel workbook in live format and with all formulas intact.

b. Provide a version of these schedules without terminal net salvage and without interim retirements and without interim net salvage on all production plant accounts. Provide these schedules in an Excel workbook in live format and with all formulas intact.

Response 43.

a. Please see attachments *AG - Nucor DR1 Request 43 - Table 1* and *AG - Nucor DR1 Request 43 - Table 2.xlsx.*

b. No terminal net salvage nor any interim retirements and interim net salvage for production plant would violate proper accounting practices so this has not been calculated.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 44
RESPONSIBLE PARTY: John J. Spanos

Request 44. Refer to page 12 of Mr. Spanos' Direct Testimony wherein he describes the "dismantlement or decommissioning estimates" added to the overall net salvage for each production facility. Describe and provide copies of all source documentation relied upon to opine that the utility standard for most steam facilities across the United States has been to expect costs to be $40/KW for steam facilities, $10/KW for combustion turbines and landfill locations, and $5/KW for solar facilities.

Response 44. The reference on page 12 of Mr. Spanos' Direct Testimony related to decommissioning estimates for generating facilities is based on decommissioning studies performed by various engineering firms across the United States including Gannett Fleming. The cost per kW were based on the estimated costs to decommission but the actual costs have been hiring for those assets that have been decommissioned. Mr. Spanos cannot provide all of these calculations due to these being the product of other utilities.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 45
RESPONSIBLE PARTY: John J. Spanos

Request 45. For each Company, provide the regulatory liabilities for interim net salvage for all electric plant assets at December 31, 2022 and each month thereafter for which actual information is available.

Response 45. The depreciation study includes all cost of removal and gross salvage that is a component of regulatory ratemaking. Therefore, there are not regulatory liabilities included in the Depreciation Study.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 46
RESPONSIBLE PARTY: John J. Spanos

Request 46. Provide a copy of all notes and all workpapers and source documents drafted and/or developed by Mr. Spanos and/or his colleagues, including all electronic workpapers in live format with all formulas intact, that were not previously supplied in response to the Commission's MFR or Staff First Set.

Response 46.

The attachments listed below set forth the notes and workpapers developed by Mr. Spanos and/or his colleagues for the depreciation study:

- *AG - Nucor DR1 Request 46 - Depr Calcs.pdf*
- *AG - Nucor DR1 Request 46 - Field Visit Notes.pdf*
- *AG - Nucor DR1 Request 46 - Field Visit Photos.pdf*
- *AG - Nucor DR1 Request 46 - Generation Notes.pdf*
- *AG - Nucor DR1 Request 46 - Life Analysis.pdf*
- *AG - Nucor DR1 Request 46 - Net Salvage Analysis.pdf*
- *AG - Nucor DR1 Request 46 - NS Data.xlsx*
- *AG - Nucor DR1 Request 46 - SL Data.xlsx*
- *AG - Nucor DR1 Request 46 - Vintage Balances.xlsx*

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 47
RESPONSIBLE PARTY: John J. Spanos

Request 47. Provide a copy of all communications between Mr. Spanos and EKPC personnel regarding depreciation issues, including, but not limited to, parameters such as production plant life spans and whether terminal net salvage should be included.

Response 47. Most of the depreciation issues were discussed and information provided in the notes in the attachments to Item 46. See attachment *AG - Nucor DR1 Request 47 - Additional Communication.pdf* for additional communication during the conduct of the Depreciation Study.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 48
RESPONSIBLE PARTY: Michelle K. Carpenter

Request 48. Provide a schedule showing the beginning balance of the uncollectible accounts reserve, bad debt expense accruals, direct gross charge-offs, bad debt recoveries (recapture), and ending balance uncollectible accounts reserve for each month during the years 2022 through 2024 and each month in 2025 with available information applicable to each division.

Response 48. EKPC does not maintain a reserve for uncollectible accounts as accounts receivable primarily consists of electric sales to Owner-Members, which are deemed to be fully collectible. Therefore, the requested monthly roll forward of activity is not applicable.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 49
RESPONSIBLE PARTY: Objection – Legal

Request 49. For each reserve balance sheet reserve account other than the uncollectible accounts reserve, provide the beginning balance, expense accruals, charge-offs, and ending balance for each month during the years 2022 through 2024 and each month in 2025 with available information applicable to the gas division.

Response 49. Objection. The term "reserve" is ambiguous and is not defined. Because EKPC is unable to determine what information is being requested, EKPC objects to this request.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 50
RESPONSIBLE PARTY: Craig Johnson

Request 50. For each of the generating units and plants (sum of generating units at each plant), provide copies of the 2025, 2026, 2027 and 2028 capital budgets and provide a description of the capital projects budgeted for each separated by amounts to be recovered through the ECR, other non-base rate mechanisms, or through base rates.

Response 50. Refer to attachment *AG - Nucor DR1 Request 50 – Capital Budgets.xlsx* for the 2025 – 2028 requested capital budget information.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 51
RESPONSIBLE PARTY: Jacob R. Watson

Request 51. Provide the incentive compensation expense for (a) 2023, (b) 2024, and (c) 2025 to date by incentive compensation plan and by goal or target for each plan. In addition, provide copies of all incentive compensation plans applicable to each of the periods listed.

Response 51. EKPC does not offer any incentive compensation.

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FIRST REQUEST FOR INFORMATION RESPONSE

ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 52
RESPONSIBLE PARTY: Michelle K. Carpenter

Request 52. Provide a schedule showing the amount of property taxes recorded during 2022, 2023, and 2024. Provide a breakdown of the amounts between expense and capital and the amounts applicable to non-base rate riders such as the ECR.

Response 52. Listed below is a summary of property taxes recorded for years 2022, 2023, and 2024 split between base rate (expense) and non-base rate (environmental surcharge). No property taxes were charged to capital.

Category	2022	2023	2024
Expense	$ 11,805,559	$ 12,607,627	$ 13,615,918
Capital	$ -	$ -	$ -
Environmental Surcharge	$ 1,936,977	$ 1,924,725	$ 2,049,253
Total	**$ 13,742,536**	**$ 14,532,352**	**$ 15,665,171**

EAST KENTUCKY POWER COOPERATIVE, INC.
CASE NO. 2025-00208
FIRST REQUEST FOR INFORMATION RESPONSE

ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 53
RESPONSIBLE PARTY: **Michelle K. Carpenter**

Request 53. Provide a schedule showing the actual amount of property taxes paid by EKPC during 2023 and 2024 to each taxing authority and in total.

Response 53. Please see attachment *AG – Nucor DR1 Request 53 – Property Taxes Paid.pdf* for a schedule of actual property taxes paid by EKPC to each taxing district for years 2023 and 2024.

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CASE NO. 2025-00208
FIRST REQUEST FOR INFORMATION RESPONSE

ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 54
RESPONSIBLE PARTY: Michelle K. Carpenter

Request 54. For each taxing authority to which aggregate property tax payments exceeding $10,000 were made in 2023, indicate the method of assessing asset value and whether the asset base includes or excludes CWIP in the determination of the assessed value used to determine the amount of taxes to be paid.

Response 54. EKPC reports asset values for property tax purposes based on the net book value (NBV) of the assets at year-end. The asset base includes one half the value of CWIP with the exception of any land purchases residing in CWIP at year-end, which are reported at full value.

EAST KENTUCKY POWER COOPERATIVE, INC.
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FIRST REQUEST FOR INFORMATION RESPONSE

ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 55
RESPONSIBLE PARTY: Michelle K. Carpenter

Request 55. For each taxing authority to which aggregate property tax payments exceeding $10,000 were made in 2023, indicate the time of the year when value assessments were made and when payments were due.

Response 55. The Kentucky Department of Revenue certified the 2023 Property Assessment to local taxing jurisdictions in November 2023. Payments are due within 30 days after receipt of the invoice. Kentucky state property taxes paid in 2023 were due November 17, 2023.

EAST KENTUCKY POWER COOPERATIVE, INC.
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FIRST REQUEST FOR INFORMATION RESPONSE

ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 56
RESPONSIBLE PARTY: Michelle K. Carpenter

Request 56. For each taxing authority to which aggregate property tax payments exceeding $10,000 were made in 2023, provide a copy of one property tax return or other information return submitted to each tax assessor and the associated resulting invoice related to taxes paid in 2023.

Response 56. Please see attachment *AG – Nucor DR1 Request 56 – Property Tax Invoice Support.pdf* for the schedules submitted to the Department of Revenue and the associated resulting taxing district invoices.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 57
RESPONSIBLE PARTY: Michelle K. Carpenter

Request 57. For each taxing authority to which aggregate property tax payments exceeding $10,000 were made in 2023, indicate whether there is a period of temporary abatement of taxes during the construction phase of assets to be placed in service. If so, describe in detail.

Response 57. While there is no abatement related to the tax rate, as discussed in the response to Item 54, the property tax return's asset base includes one half the value of CWIP until projects are placed in-service.

EAST KENTUCKY POWER COOPERATIVE, INC.

CASE NO. 2025-00208

FIRST REQUEST FOR INFORMATION RESPONSE

ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 58
RESPONSIBLE PARTY: Michelle K. Carpenter

Request 58. Describe the amount of property tax expense that was reflected in the test year. If anything other than actual 2023 expense amounts applicable to only base rates, provide copies of all workpapers used to determine the amounts applicable to expenses in base rates, ECR, and capitalized amounts in electronic format with all formulas intact.

Response 58. The total amount of property tax expense reflected in the test year was \$12,607,629 after excluding \$1,924,723 that was recovered through environmental surcharge. Please see attachment *AG – Nucor DR1 Request 58 – Property Taxes ES.xlsx* for the workpaper used to determine the amount recoverable in the environmental surcharge.

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CASE NO. 2025-00208

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 59
RESPONSIBLE PARTY: Michelle K. Carpenter

Request 59. Provide in an Excel spreadsheet the FTE staffing levels and related payroll (direct and burdens) by month from January 2021 through June 2025 at each generating unit/plant that the Company has retired or plans to retire during that period of four and a half years.

Response 59. Laurel Ridge Landfill Generating Unit was the only generating unit /plant retired in the past four and a half years. It was retired on July 19, 2023. Please see attachment *AG – Nucor DR1 Request 59 – Retired Generating Plant Payroll and Burden.xlsx* for a breakdown of the generating unit's payroll and burden dollars by month for years 2021 through 2023.

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FIRST REQUEST FOR INFORMATION RESPONSE

ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 60
RESPONSIBLE PARTY: Barry Lindeman

Request 60. Provide a breakdown of the total headcount by department and in total for the Company at December 31 for each of the years 2021-2024, and for each month during 2025 for which information is available.

Response 60. The following attachment provides the requested information related to total headcount by department and in total for the Company at December 31 for each of the years 2021-2024 and for each month during 2025 for which information is available.

See attachment *AG - Nucor DR1 Request 60 - Headcount.xlsx.*

EAST KENTUCKY POWER COOPERATIVE, INC.
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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 61
RESPONSIBLE PARTY: Michelle K. Carpenter

Request 61. Provide a breakdown of payroll dollars between O&M expense, capital, and all other by department and in total for the Company for each of the years 2021-2024, and for each month during 2025 for which information is available.

Response 61. Please see attachment *AG – Nucor DR1 Request 61 – Payroll Dollars by Dept & Category.xlsx* for a breakdown of payroll dollars between O&M expense, capital, and other by department and in total for years 2021 through 2024 and YTD July 2025.

EAST KENTUCKY POWER COOPERATIVE, INC.
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FIRST REQUEST FOR INFORMATION RESPONSE

ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 62
RESPONSIBLE PARTY: Michelle K. Carpenter

Request 62. Provide a copy of the Company's actuarial reports used to record pension expense in 2023, 2024, and to date in 2025. Annotate and/or reconcile the relevant amounts included in the report to the pension expense included in the test year.

Response 62. EKPC participates in a multiemployer defined benefit pension plan and defined contribution plans. Therefore, there are no actuarial reports relied upon to record expense. Contributions to these plans are allocated to capital and expense based upon each month's labor distribution.

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CASE NO. 2025-00208
FIRST REQUEST FOR INFORMATION RESPONSE

ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 63
RESPONSIBLE PARTY: Michelle K. Carpenter

Request 63. Provide a copy of the Company's actuarial reports used to record OPEB expense in 2023, 2024, and to date in 2025. Annotate and/or reconcile the relevant amounts included in the report to the pension expense included in the test year.

Response 63. Please see *AG-Nucor DR1 Request 63- ASC 715 Actuarial Valuations.pdf* for copies of Mercer's ASC 715 Actuarial Valuation Reports on EKPC's postretirement benefits (health and life) as of December 31, 2023 and 2024, which provide the net periodic benefit cost for each respective year. The 2024 report also includes the estimated net periodic benefit cost for the year ending December 31, 2025. Annotations have been made to the pages of the reports that reconcile to Application Exhibit 16 Attachment JRW – 1 Statement of Operations Schedule 1.11. It should be noted that each year, the estimated net periodic benefit cost is recorded on EKPC's books over twelve months with the monthly amount allocated to capital and expense based upon each respective month's labor distribution.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 64
RESPONSIBLE PARTY: Barry Lindeman

Request 64. Refer to the Application generally. Provide a list of all open/vacant positions at the end of the test year, at the end of 2024, and at June 30, 2025 including:

a. Job title,

b. Date the job was created,

c. Length of time that the position has been open,

d. Explanation as to why the position is still vacant,

e. Planned hiring dates for each position,

f. Hiring dates for any of these positions that have been filled, and

g. Fully loaded annual salary for unfilled positions.

Response 64. Please see attachment *AG - Nucor DR1 Request 64 - Open & Vacant Positions.xlsx* which provides a list and details of all open/vacant position at the end of the test year, at the end of 2025 and at June 30, 2025.

EAST KENTUCKY POWER COOPERATIVE, INC.

CASE NO. 2025-00208

FIRST REQUEST FOR INFORMATION RESPONSE

ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025

REQUEST 65

RESPONSIBLE PARTY: Barry Lindeman

Request 65. Refer to the Application generally. Provide a list of all new positions at the end of the test year, at the end of 2024, and at June 30, 2025 including:

a. Job title,

b. Date the job was created,

c. Length of time that the position has been open,

d. Explanation as to why the position is still vacant,

e. Planned hiring dates for each position,

f. Hiring dates for any of these positions that have been filled, and

g. Fully loaded annual salary for unfilled positions.

Response 65. Please see attachment *AG - Nucor DR1 Request 65 - New Positions.xlsx* which provides a list and details of all new positions at the end of the test year, at the end of 2024 and at June 30,2025. The attachment includes all new positions created and hired within the requested time period.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 66
RESPONSIBLE PARTY: Cliff Scott

Request 66. Provide a copy of each monthly actual-to-budget variance analysis performed for each month during the test year, 2024 and through 2025 to date that includes explanations for significant variances.

Response 66. See attachment *AG - Nucor DR1 Request 66 - Actual to Budget Variance.pdf.*

EAST KENTUCKY POWER COOPERATIVE, INC.
CASE NO. 2025-00208
FIRST REQUEST FOR INFORMATION RESPONSE

ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 67
RESPONSIBLE PARTY: Michelle K. Carpenter

Request 67. Provide the Company's CWIP by month and by major project, the Company's plant in service by month showing transfers from CWIP to plant in service upon completion of each major project, retirements of plant in service and any other increases or reductions in plant in service during the test year, 2024, and 2025 to date.

Response 67. Please see attachment *AG – Nucor DR1 Request 67 – Monthly CWIP and In-Service.xlsx* for a detail of CWIP by month and by major project for test year 2023, 2024, and 2025 to date. For this presentation, "major project" was defined as any project expected to have expenditures of more than $1 million at completion. Also included on this same schedule is a roll forward of utility plant in service by month which shows beginning balance, additions (transfers from CWIP), retirements, and ending balance.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 68
RESPONSIBLE PARTY: Jacob R. Watson

Request 68. Did EKPC experience any storms that required O&M expenditures of more than $100,000 during the test year? If so, describe them in detail and provide the amounts that were recorded to O&M expense accounts by account. If not, so state.

Response 68. During the test year there were no storms in which EKPC incurred more than $100,000 in O&M expense.

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FIRST REQUEST FOR INFORMATION RESPONSE

ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 69
RESPONSIBLE PARTY: Michelle K. Carpenter

Request 69. Provide a copy of each RUS financial report (RUS Form 7, RUS Form 12, or other RUS form) submitted to the RUS for December of each of the years 2021 through 2024 and for each month in 2025.

Response 69. EKPC is only required to file an Annual RUS Form 12 with RUS. However, a monthly version of the Form 12 is prepared for the Board and Management's use. Please see attachment *AG – Nucor DR1 Request 69 – RUS Form 12 Financial Reports.pdf* for the Annual Form 12 filed with RUS for each of the years 2021 through 2024, and the monthly version for January through May of 2025.

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CASE NO. 2025-00208

FIRST REQUEST FOR INFORMATION RESPONSE

ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 70
RESPONSIBLE PARTY: Michelle K. Carpenter

Request 70. Provide an annual history from 2019 through 2024 of vegetation management expense by FERC O&M expense account.

Response 70. Please see attachment *AG – Nucor DR1 Request 70 – Vegetation Mgmt by Account.xlsx* for the annual history of vegetation management expense by FERC O&M expense accounts for the years 2019 through 2024.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 71
RESPONSIBLE PARTY: Jacob R. Watson

Request 71. Refer to Application Exhibit 16 Attachment JRW-1 Statement of Operations at Schedule 1.01 (pages 5-6 of 36) which depicts the removal of FAC revenues and expenses from the test period.

a. Confirm that 100% of the FAC related revenues and expenses for each month during the test year are being removed. If not confirmed, explain why not.

b. Provide copies and descriptions of the sources of the amounts reflected as FAC revenues and FAC expenses each month as being removed. If the information is available from general ledger detail, provide copies of the applicable detail.

Response 71.

a. Yes, all FAC related revenues and expenses have been removed from the test year.

b. See attachment *AG – Nucor DR1 Request 71 – FAC Adjustments.pdf.*

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 72
RESPONSIBLE PARTY: Jacob R. Watson

<u>Request 72.</u> Refer to Application Exhibit 16 Attachment JRW-1 Statement of Operations at Schedule 1.02 (page 7 of 36) which depicts the removal of ES revenues and expenses from the test period.

a. Confirm that 100% of the ES related revenues and expenses for each month during the test year are being removed. If not confirmed, explain why not.

b. Provide copies and descriptions of the sources of the amounts reflected as ES revenues and ES expenses depicted each month as being removed. If the information is available from general ledger detail, provide copies of the applicable detail.

<u>Response 72.</u>

a. Yes, all ES related revenues and expenses have been removed from the test year.

b. See attachments *AG – Nucor DR1 Request 72b – Expenses.xlsx* and *AG – Nucor DR1 Request 72b – Revenues.xlsx*.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 73
RESPONSIBLE PARTY: Jacob R. Watson

Request 73. Provide a copy of the December 31, 2023 Environmental Surcharge Report filed with the Commission in Excel format with all formulas in place.

Response 73. Please see attachment *AG – Nucor DR1 Request 73 – December ES Filing.xlsx.*

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 74
RESPONSIBLE PARTY: Jeffrey W. Wernert, Jr.

Request 74. Did EKPC prepare a Class Cost of Service Study for any test year other than 2023? If so, provide the study in an Excel workbook and all supporting workpapers for each such alternative study that was prepared.

Response 74. EKPC did not perform a Class Cost of Service Study for any other test year other than 2023.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 75
RESPONSIBLE PARTY: Jacob R. Watson

Request 75. Provide a narrative explanation of why EKPC did not include a weather normalization adjustment for either revenue requirements or the class cost of service, including allocation factors, in this rate case.

Response 75. EKPC did not normalize its revenues for normal weather or temperatures considering, to EKPC's knowledge, the Commission has never accepted an electric weather normalization adjustment in a fully litigated **historic** test year proceeding. Additionally, within a historic test year, EKPC has known and measurable weather data that is paired with known and measurable expenses and revenues. Therefore, given this history, EKPC did not consider developing such an adjustment.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 76
RESPONSIBLE PARTY: Jacob R. Watson

Request 76. If not provided in response to prior requests, provide all analysis and workpapers in electronic format associated with the weather normalization of peak demands and energy filed in the EKPC IRP in Case Number 2025-00087, as reflected in Tables 3- 6 and 3-7 on page 54 of the report.

Response 76. The AG and Nucor are both parties to EKPC's IRP, Case Number 2025-00087 and have access to all information filed in EKPC's IRP. That case is outside the scope of this proceeding. Furthermore, EKPC used a historic test year in this proceeding and is not recommending any weather normalization adjustments.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 77
RESPONSIBLE PARTY: Objection – Legal; Response – Jacob R. Watson

Request 77. Provide weather normalized EKPC system coincident peak demand, by month, for 2022, 2023 and 2024.

Response 77. Objection. EKPC used a historic test year and is not recommending any weather normalization adjustments and therefore the information requested is outside the scope of this proceeding. Without waiving this objection, EKPC provides the requested information in the below chart.

EKPC System Coincident Peak Demand

Date	Weather Normalized	Date	Weather Normalized	Date	Weather Normalized
Jan 2022	3,557	Jan 2023	3,433	Jan 2024	3,956
Feb 2022	3,556	Feb 2023	3,353	Feb 2024	3,262
Mar 2022	2,395	Mar 2023	2,970	Mar 2024	2,780
Apr 2022	2,386	Apr 2023	2,347	Apr 2024	2,204
May 2022	1,999	May 2023	2,050	May 2024	2,283
Jun 2022	2,467	Jun 2023	2,319	Jun 2024	2,383
Jul 2022	2,503	Jul 2023	2,636	Jul 2024	2,545
Aug 2022	2,381	Aug 2023	2,414	Aug 2024	2,631
Sep 2022	2,161	Sep 2023	2,288	Sep 2024	2,316
Oct 2022	2,152	Oct 2023	1,938	Oct 2024	2,169
Nov 2022	2,754	Nov 2023	2,629	Nov 2024	2,311
Dec 2022	3,532	Dec 2023	3,186	Dec 2024	3,410

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FIRST REQUEST FOR INFORMATION RESPONSE

ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 78
RESPONSIBLE PARTY: Jeffrey W. Wernert, Jr.

Request 78. Provide all workpapers, including Excel workbooks with formulas, for each of Mr. Wernert's tables and exhibits.

Response 78. See attachment *AG – Nucor DR 1 Request 78 – Trial Balance 8760 – 2023 System Load.xlsx*.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 79
RESPONSIBLE PARTY: Jeffrey W. Wernert, Jr.

Request 79. Provide all workpapers supporting the determination that approximately 48.91% of EKPC's total energy costs applied to the on-peak period and 51.09% applied to the off-peak period, including "EKPC's average hourly system energy costs" for the test year as referenced in Wernert testimony, page 13, lines 5-9. Include an Excel workbook that shows the average hourly system energy costs.

Response 79. Please refer to EKPC's response to Item 78.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 80
RESPONSIBLE PARTY: Jeffrey W. Wernert, Jr.

Request 80. If not provided in response to the previous question, provide a description of the source and calculation of "EKPC's average hourly system energy costs" that fully explains how the analysis was performed.

Response 80. Mr. Wernert was provided the hourly EKPC system load in MWs and the average $/MWh of fuel and purchased power costs for each hour for all 8,760 hours during the 2023 historical test period. A dollar cost per hour was determined by multiplying each hour's average cost by the load during that hour. Using the defined peak period hours in EKPC's Tariff, each hour was then categorized as On or Off-Peak based on the season and hour of the day. The energy costs for each hour were then assigned as either On-Peak or Off-Peak costs and a total was calculated for each period. Finally, the total On-Peak energy costs were divided by the Total energy costs which determined that 48.91% of the total costs were attributable to the On-Peak period and the remaining 51.09% of costs were attributable to the Off-Peak period. The Excel workbook which shows this calculation is included in the response to Item 78.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 81
RESPONSIBLE PARTY: Jeffrey W. Wernert, Jr.

Request 81. Provide all workpapers supporting the amount of energy-related costs specifically assigned to pumping station service (Wernert testimony, page 12, lines 17-18).

Response 81. Please refer to EKPC's response to Request 18 and attachment *AG – Nucor DR1 Request 18 – Monthly Member Data.xlsx*, rows 184 through 195, which shows the revenues collected from the Pumping stations which includes specifically assigned energy costs.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 82
RESPONSIBLE PARTY: Objection – Legal; Response – Gregory H. Cecil

Request 82. Provide, in Excel with formulas, the following information for each EKPC rate class modeled in the class cost of service study (Rates E, B, C, G, Large Special Contract, Special Contract Pumping Stations, Steam Service):

a. Hourly load data for the test year ending December 31, 2023.

b. Hourly load data for the years 2020, 2021, 2022 and 2024.

Response 82.

a. Please see attachment *AG – Nucor DR1 Request 82a – 2023 Load Data.xlsx.*

b. Objection. This information is outside the scope of the proceeding, irrelevant, overly broad, and unduly burdensome. EKPC's provided the requested information for the test-year. The additional years requested are irrelevant to this proceeding and would require EKPC to expend numerous hours compiling irrelevant data.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 83
RESPONSIBLE PARTY: Gregory H. Cecil

Request 83. Provide, in Excel with formulas, the hourly generation of each EKPC generating resource, each non-PJM hourly purchase (if any), hourly PJM day ahead energy purchases (the gross amount corresponding to EKPC day ahead load), hourly PJM real time energy purchases and hourly sales to the PJM day ahead energy market, hourly sales to the PJM real time energy market, and all other hourly sales (i.e., bilateral sales to a specific customer).

Response 83. Please see attachment *AG – Nucor DR1 Request 83 – Hourly Generation.xlsx.* provided subject to a motion for confidential treatment.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 84
RESPONSIBLE PARTY: Michelle K. Carpenter

Request 84. Provide, in Excel with formulas, the monthly cost of energy for 1) each EKPC generating unit, 2) non-PJM hourly purchase (if any), 3) PJM day ahead energy purchases and 4) PJM real time energy purchases.

Response 84. Please see attachment *AG – Nucor DR1 Request 84 – Monthly Energy Cost.xlsx*. The total production expense shown rows 7 through 18 include fuel, operations, and maintenance expenses by plant by month for 2023.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 85
RESPONSIBLE PARTY: Jeffrey W. Wernert, Jr.

Request 85. Refer to Exhibit JWW-4, page 6 of 8 (the rate summary for the Large Special Contract). Provide the following information:

a. The workpapers, in Excel with formulas, supporting each of the proposed rate elements (demand charges, energy charges, interruptible credits, etc.). To the extent that the interruptible credits are based on analysis of avoided capacity cost, include the analysis, in Excel with formulas. Also provide a narrative explaining EKPC's methodology for each of the 10 minute and 90 minute notice credits.

b. The minimum on-peak energy charge and the minimum off-peak energy charge at present and proposed rates. Also provide all supporting workpapers and Excel spreadsheets, with formulas, used to develop the proposed minimum energy rates.

Response 85.

a. As discussed in the testimony of Mr. Jacob Watson, EKPC is not proposing to change the Interruptible Credits in this proceeding. The current Large Special Contract 10-minute interruptible credit of $6.22/kW and the current 90-min interruptible credit of $4.20/kW are deducted from Minimum Demand charge in both the present ($7.15/kW) and proposed rate elements ($8.48/kW). This results in a 10-minute interruptible demand charge of $2.26/kW ($8.48 - $6.22/kW) and a 90-minute interruptible demand charge of $4.28/kW ($8.48 - $4.20/kW). The Minimum demand charge was then increased to achieve the revenue requirement under the 50-50 split for demand revenues as discussed on page 19 of Mr. Wernert's testimony.

For the proposed energy charges, steps were taken to maintain the relationship between the current on-peak and off-peak energy charges for the Large Special Contract. Currently, the on-peak energy charge is 1.07 times higher than the off-peak energy charge. That relationship was carried forward in the proposed on-peak energy charge ($0.054241/kWh) and off-peak energy charge ($0.050582/kWh). With this ratio maintained, the on-peak energy charge was increased to achieve the target 50-50 allocation to energy revenues similar to the demand charges.

More detail on the determination of the 50-50 demand and energy revenue split is described in the response to PSC Staff Request 8.

b. EKPC is not proposing to change the current on-peak and off-peak minimum energy charges in this proceeding. Please see attachment *AG – Nucor DR1 Request 85 – Energy Charges.xlsx*.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 86
RESPONSIBLE PARTY: Jeffrey W. Wernert, Jr.

Request 86. Refer to Exhibit JWW-4. Provide all supporting workpapers, including all Excel workbooks with formulas, supporting each of the rate schedule proof of revenues included in the exhibit.

Response 86. Please refer to JWW-4 Excel workbook and Billing Determinants file provided in EKPC's response to AG-Nucor's Request 18.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 87
RESPONSIBLE PARTY: Jacob R. Watson

Request 87. Provide copies of each of EKPC's customer contracts/agreements for service on Rates B, C, D, G, Contract-Steam and Large Special Contract. Include all provisions that provide for an interruptible credit.

Response 87. Each of the requested contracts are on file with the Commission and can be found at the following link:
https://psc.ky.gov/Home/Library?type=Tariffs&folder=Electric%5CEast%20Kentucky%20Power%20Cooperative%2C%20Inc%5CContracts

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 88
RESPONSIBLE PARTY: Jacob R. Watson

Request 88. Provide the current and proposed rates, including any changes to terms and conditions associated with the Contract-Steam and Large Special Contract rates.

Response 88. Please see the table below detailing the current and proposed rates for Steam Service and the Large Special Contract. No other terms are changing.

Steam Service

	Unit	Current	Proposed
Demand Charge	MMBTu	604.75	655.45
Energy Charge	MMBTu	5.391	5.485

Large Special Contract

Demand Charge	Unit	Current	Proposed
Minimum Demand	kW	$7.15	$8.48
10-Min Interruptible (credit)	kW	-$6.22	-$6.22
90-Min Interruptible (credit)	kW	-$4.20	-$4.20
Energy Charge			
On Peak kWh	kWh	$0.050817	$0.054241
Off Peak kWh	kWh	$0.047389	$0.050582

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 89
RESPONSIBLE PARTY: Michelle K. Carpenter

Request 89. For each month of the test year, provide the monthly bills for electric service submitted to the Special Contract Pumping Stations customer(s) by both EKPC and the distribution cooperative.

Response 89. Please see attachment *AG – Nucor DR1 Request 89 – Pumping Station Invoices.pdf* for EKPC's monthly electric services billed to two respective distribution cooperatives related to Special Contract Pumping Station customer(s) for test year 2023. EKPC is not involved in the distribution cooperatives' billing processes and accordingly, does not have access to the bills provided to the Special Contract Pumping Stations customers.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 90
RESPONSIBLE PARTY: Jacob R. Watson

Request 90. Provide a narrative explanation of how the market charges for the Special Contract Pumping Stations are calculated.

Response 90. For the 16-hour on-peak period from 0700 to 2300 Eastern Prevailing Time (EPT) on all weekdays throughout the calendar year (excluding NERC-approved holidays), energy provided within the Deviation Band is priced based upon the AEP-Dayton Hub Daily Index published by Platts Megawatt Daily, plus losses.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 91
RESPONSIBLE PARTY: Jacob R. Watson

Request 91. Provide a copy of the current contract for Special Contract Pumping Stations, including any letters or memos regarding the calculation of market pricing.

Response 91. The contract requested is on file with the Commission and can be found at the following link:

https://psc.ky.gov/Home/Library?type=Tariffs&folder=Electric%5CEast%20Kentucky%20Power%20Cooperative%2C%20Inc%5CContracts

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025

REQUEST 92

RESPONSIBLE PARTY: **Michelle K. Carpenter**

Request 92. For each month of the test year, provide the monthly bills for electric service submitted to the Steam Service customer by both EKPC and the distribution cooperative.

Response 92. Please see attachment *AG – Nucor DR1 Request 92 – 2023 Test Year Steam Service Invoices.pdf* for EKPC's monthly electric and steam services billed to the respective distribution cooperative related to the Steam Service customer for test year 2023. EKPC is not involved in the distribution cooperative's billing process and accordingly, does not have access to the distribution cooperative's bills provided to the Steam Service customer.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 93
RESPONSIBLE PARTY: Jeffrey W. Wernert, Jr.

Request 93. Refer to Exhibit JWW-3.

a. Provide this schedule and all supporting workpapers including all Excel workbooks with formulas intact.

b. If not provided in response to part a, provide all workpapers supporting the development of the Max. CP of 2,707,000 kW.

c. Reconcile the Max. CP to the monthly peak mW on the EKPC 2023 KY PSC Annual Report schedule Monthly Peaks and Output (Ref Page: 401).

d. If not provided in response to part a, provide all workpapers supporting the development of the system kWh of 13,097,325,794 kWh.

e. Reconcile the system kWh to the Total Monthly Energy on the EKPC 2023 KY PSC Annual Report schedule Monthly Peaks and Output (Ref Page: 401).

Response 93.

a. Please refer to EKPC's response to Item 78.

b. Please refer to EKPC's Response to Item 78.

c. The 2,707 MWs used in the Average and Excess calculation is the hourly demand reading for March 2023 and is the same value reported on page 2 of the EKPC 2023 Annual Report (page 2 of Application Exhibit 30). The 2,707 MW peak represents all EKPC, including those billed outside the billing system. The 2,848MW reported peak on EKPC's 2023 PSC Annual Report Schedule Monthly Peaks and Output (Ref Page: 401) is in addition to amounts billed through EKPC's billing system, including special contract and minimum bills.

d. Please refer to EKPC's Response to Item 78.

e. Reconciliation is shown below. Please note that for reporting purposes for the Monthly Peaks and Output files Nolin RECC is considered Monthly Non-Required sales, Steam reports on the Monthly Peaks and Output is derived MWh equivalent amount based on the contract, and the Salt River Lock 7 Generator Credit is a reduction to the Total Monthly Energy reports on the Monthly Peak and Output as EKPC does not generate these MWh.

MWh per JWW-3:	13,097,326	
Total Monthly Energy per Ref page 401:		12,746,544
Plus Nolin RECC:		715,004
Less Minimum Bills:		(174,762)
Less Steam:		(195,744)
Plus Lock 7 Generator Credit:		6,083
Total:		13,097,125
Difference		201

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 94
RESPONSIBLE PARTY: Michelle K. Carpenter

Request 94. Refer to the EKPC KY PSC Annual Reports for 2022, 2023, and 2024. Reconcile the Requirements Sales for Resale and the Non-Requirements Sales for Resale on the schedule Electric Energy Account (Ref Page: 401) to the Total Monthly Energy and Monthly Non-Requirement Sales on the schedule Monthly Peaks and Output (Ref Page: 401).

Response 94. Please refer to page 2 for a reconciliation of the PSC Annual Report Electric Energy Account (Ref Page: 401) Requirements Sales for Resale and the Non-Requirements Sales for Resale to Monthly Peaks and Output (Ref Page: 401) Total Monthly Energy and Monthly Non-Requirement Sales for years 2022, 2023, and 2024. In aggregate, the page totals agree. However, the Monthly Peaks and Output (Ref Page: 401) utilized RUS Annual Form 12 source data that required non-RUS borrower distribution cooperatives to be classified with non-requirement sales, which resulted in the noted category differences. For PSC reporting purposes, the Monthly Peaks and Output category totals should have matched the Electric Energy Account category totals.

	2022	2023	2024
Electric Energy Account			
Requirements Sales for Resale	$ 13,721,766	$ 13,461,548	$ 14,037,628
Non-Requirements Sales for Resale	1,003,475	484,870	982,318
	$ 14,725,241	$ 13,946,418	$ 15,019,946
Monthly Peaks and Output			
Total Monthly Energy	$ 12,953,521	$ 12,746,544	$ 13,270,188
Monthly Non-Requirement Sales	1,771,720	1,199,874	1,749,758
	$ 14,725,241	$ 13,946,418	$ 15,019,946
Difference			
Requirements Sales for Resale/Energy	$ 768,245	$ 715,004	$ 767,440
Non-Requirements Sales for Resale	(768,245)	(715,004)	(767,440)
	$ -	$ -	$ -

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 95
RESPONSIBLE PARTY: Jeffrey W. Wernert, Jr.

Request 95. Refer to Exhibit JWW-2. Provide the support for the values for each rate class in the JWW-2 Excel workbook, TAB "Allocation to Rate Class", rows 333 and 334. For example, the values for the Large Special Contract class of "- (2500786*5.6+542587*4.2)".

Response 95. Row 333 of Exhibit JWW-2 represents the cumulative allocation of the total Interruptible Credits for the 2023 historical test year. The values for each class are calculated by taking each class's billed interruptible demand credits based on the annual hours of interruption (200, 300, or 400) multiplied by the proposed Interruptible Credit for each level of service. For example, Rate E had an annual total of 8,674 kW billed interruptible credits with 400 annual hours of potential interruption in 2023. The 8,674 kW is multiplied by the $5.60/kW proposed credit for 400 annual hours of interruption, which equals -$(48,574). The expenses for Rate E are then reduced by the calculated amount which represents the imputed production capacity expense reduction associated with the Rate E interruptible load in 2023. The same process is used for all the remaining classes with the Large Special Contract class being the only class with more than one type of interruptible demand credit.

Large Special Contract has a 10-minute interruptible demand and a 90-minute interruptible demand. The 10-minute interruptible demand was credited at the $5.60/kW proposed interruptible credit, equivalent to 400 hours of annual interruption under Rate D and had an annual total of 2,500,786 kW. The 90-minute interruptible demand was credited at $4.20/kW, equivalent to 200 hours of annual interruption under Rate D and had an annual total of 542.587 kW. The sum total of the credits for Large Special Contract is equal to (2500786*5.6+542587*4.2) = -$(16,283,267). This represents the imputed production capacity expense reduction associated with the Large Special Contract's interruptible load in 2023.

The total imputed production capacity expense savings from interruptible loads was calculated as -$(21,378,657) for 2023 which is shown in cell F333 in the "Allocation Proforma" tab of Exhibit JWW-2. Since these savings are imputed and not actual realized production capacity savings by EKPC, $21,378,657 must be allocated to all rate classes based on their contribution to EKPC's production capacity costs, resulting in a total net effect to EKPC of zero. The Excess Demand allocation factor from the Average and Excess production cost allocation methodology was used to allocate the imputed savings back to the rate classes in the Cost-of-Service study. This is shown on row 334 of the "Allocation Proforma" tab of Exhibit JWW-2.

The interruptible demands used for all the rate classes are shown in each class's respective rate page, on pages 2 – 6, in Exhibit JWW-4.

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REQUEST 96
RESPONSIBLE PARTY: Jeffrey W. Wernert, Jr.

Request 96. Confirm that Exhibit JWW-2 does not reflect any adjustment to reflect the fact that the Large Special Contract rate class includes EDR credits that have the effect of reducing the otherwise applicable rate class revenues in the class cost of service study. If this cannot be confirmed, identify any adjustments made in the class cost of service study associated with EDR credits.

Response 96. Confirmed.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 97
RESPONSIBLE PARTY: Jeffrey W. Wernert, Jr.

Request 97. Refer to Exhibit JWW-4, Special Contract Pumping Stations. Provide the following:

a. All workpapers, including all Excel workbooks, supporting the current and proposed rates.

b. To the extent that the rate is a market based rate, provide the market prices used to develop the revenue shown in JWW-4.

c. Is the kW demand charge based on the EKPC Open Access Transmission Tariff? If so, provide the 2023, 2024 and 2025 OATT transmission rate.

Response 97.

a. Please refer to EKPC's response Item 78.

b. See response to part a.

c. The $1.75/kW transmission charge was set in the agreement dated September 28, 2020, effective September 9, 2001, and is not based on EKPC's Open Access Transmission Tariff.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 98
RESPONSIBLE PARTY: Jeffrey W. Wernert, Jr.

Request 98. Refer to Exhibit JWW-2. Explain why the class cost of service study did not allocate any production demand costs to Special Contract Pumping Stations.

Response 98. EKPC only procures energy for the Special Contract Pumping Stations class through the PJM market under a market-based Tariff and does not serve this member load via internal generation capacity. Due to this fact, the Pumping Stations were excluded from the Average and Excess allocation methodology and were not allocated any production demand-related costs in the class cost of service study.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 99
RESPONSIBLE PARTY: Jeffrey W. Wernert, Jr.

Request 99. Provide all workpapers supporting the specific assignment of costs of Spurlock 1 and Spurlock 2 to the Steam Service rate class.

Response 99. Please refer to EKPC's response to Item78.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 100
RESPONSIBLE PARTY: Craig Johnson

Request 100. Does the provision of steam service to the steam service customer limit the generating capacity of Spurlock 1 or Spurlock 2? If so, provide an hourly analysis for the test year of the reductions in available generating capacity.

Response 100. Steam service does not normally limit the generating capacity of either Spurlock 1 or Spurlock 2. Spurlock 2 provides the primary steam supply. When Spurlock 2 is offline, secondary steam supply is provided by Spurlock 1. Spurlock 1 is derated by 50 MW when providing steam. Please see attachment *AG – Nucor DR1 Request 100 – 2023 Derates for Steam derates.xlsx* related to steam supply by Spurlock 1 in 2023.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 101
RESPONSIBLE PARTY: Michelle K. Carpenter

Request 101. Please provide copies of all invoices from PJM to EKPC for the years 2022, 2023, and 2024, in electronic format if available.

Response 101. Please see attachment *AG – Nucor DR Request 101 – PJM Invoices.pdf* for copies of EKPC's month-end PJM invoices for the years 2022, 2023 and 2024.

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REQUEST 102

RESPONSIBLE PARTY: Michelle K. Carpenter

Request 102. Provide a narrative explanation of EKPC's accounting for PJM monthly Locational Reliability Charges and capacity Auction Credits (for example, does EKPC record only the net LRC and capacity Auction Credits).

Response 102. EKPC records the PJM monthly Capacity related charges and credits as a net total to Capacity Sales, which is included as part of Operating Revenue in the Annual Report.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 103
RESPONSIBLE PARTY: Michelle K. Carpenter

Request 103. Provide the dollar amounts of PJM Locational Reliability Charges and capacity Auction Credits for the years 2022, 2023, and 2024, and identify where in the EKPC Annual Reports and test year class cost of service study those amounts are included. To the extent that these amounts are included in the 2023 test year class cost of service study as a net amount, provide a breakdown of the costs and credits that comprise the net amount.

Response 103. Please see attachment *AG – Nucor DR1 Request 103 – Capacity.pdf* for a breakdown of the PJM Locational Reliability Charges and capacity Auction Credits for the years 2022, 2023 and 2024, along with all other PJM billing line items and entries to reconcile to net capacity sales as reported on EKPC's books in Account 447251. Please refer to the Notes to Financial Statements, Summary of Significant Accounting Policies, Revenue Recognition, contained within EKPC's Annual Report for a summary of operating revenue by revenue stream to identify capacity revenue for each year. Capacity sales are reported in the 2023 Cost of Service Study in the Operating Revenues section as part of Off System Sales Revenue.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 104
RESPONSIBLE PARTY: Gregory H. Cecil

Request 104. Provide the contribution of the kW loads for service to the Special Contract Pumping Stations and Steam Service rate classes to the EKPC PJM Daily Unforced Capacity Obligation for the years 2022, 2023, and 2024.

Response 104. Please see attachment *AG – Nucor DR1 Request 104 – UCAP Obligation.*xlsx.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025

REQUEST 105

RESPONSIBLE PARTY: Gregory H. Cecil

Request 105. Provide the total MW of EKPC capacity which cleared in each PJM RPM Auction for the years 2022, 2023, and 2024.

Response 105. Please see attachment *AG – Nucor DR1 Request 105 – PJM RPM Auction.xlsx*.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 106
RESPONSIBLE PARTY: Jacob R. Watson

Request 106. Provide the workpapers, in Excel, supporting the development of the Large Special Contract 10 minute and 90 minute interruptible rates.

Response 106. EKPC is not proposing new interruptible rates for the Large Special Contract and thus has no supporting documentation to provide. The interruptible rates in place for the Large Special Contract were negotiated as part of the settlement agreement in Case No. 2010-00167[10], *Application of East Kentucky Power Cooperative, Inc. For General Adjustment of Electric Rates*.

[10] Case No. 2010-00167, *Application of East Kentucky Power Cooperative, Inc. for a General Adjustment of Electric Rates* (filed June 8, 2010).

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025

REQUEST 107

RESPONSIBLE PARTY: Jacob R. Watson

Request 107. Provide a narrative explaining how EPE determined the appropriate difference between the 10 minute and 90 minute notice rates.

Response 107. EKPC is unclear as to the identity of EPE and is therefore unable to determine how they differentiate between 10-minute and 90-minute notice rates.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 108
RESPONSIBLE PARTY: Jacob R. Watson

Request 108. With regard to Application Exhibit 16, provide the following information:

a. EKPC's current estimate, as used in EKPC resource planning analyses, of the installed cost of a simple cycle CT for EKPC.

Response 108. EKPC utilized a capacity cost of $1,329 per kW for a simple cycle F-frame combustion turbine in its 2025 Integrated Resource Plan ("IRP"). The capital cost was publicly sourced from the National Renewable Energy Laboratory ("NREL") 2024 Annual Technology Bulletin ("ATB").

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 109
RESPONSIBLE PARTY: Jacob R. Watson

<u>Request 109.</u> In LG&E/KU CPCN Case 2025-00045, LG&E and KU have stated in a public discovery response that their current estimated capital cost for a 2030 SCCT is now $1,901/kW in $2030 (see Attachment 1).

a. Does EKPC currently believe that its overnight cost for a new NGCT would be $867/kW, as assumed in Application,Exhibit 16 Attachment JRW-3?

b. To the extent that EKPC continues to support a CT cost of $867/kW, provide each reason for EKPC's position.

c. Provide EKPC's current estimated overnight cost for a new NGCT.

<u>Response 109.</u>

a-b. The capital cost cited in Application,Exhibit 16 Attachment JRW-3, $867/kW is based on EIA estimates from 2023[11]. The most recent EIA estimate is $791/kW.[12] EKPC believes that the current rate used in Application,Exhibit 16 Attachment JRW-3 is reasonable given the

[11] AEO2023 Cost and Performance Characteristics of New Generating Technologies.

[12] https://www.eia.gov/outlooks/aeo/assumptions/pdf/EMM_Assumptions.pdf.

comparison to the most recent EIA data. Furthermore, EKPC is not a party to Case No. 2025-00045 and does not have any insight into the calculations used in that proceeding.

c. Refer to Item 108, above.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 110
RESPONSIBLE PARTY: Objection – Legal; Response – Gregory H. Cecil

Request 110. Provide EKPC's current planning reserve margin (%) for both the summer and winter seasons.

Response 110. Objection. This information is not relevant to this proceeding. However, without waiving said objection, EKPC currently plans for a seven percent reserve margin.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 111
RESPONSIBLE PARTY: Jeffrey W. Wernert, Jr.

<u>Request 111.</u> Refer to Exhibit JWW-4, page 2 of 8 (the rate summary for Rate B).

a. Provide the present and proposed interruptible credit per billing kW. Also provide the workpapers supporting the proposed interruptible credit for Rate B and a narrative explaining the interruptible terms (notice, etc.) to the extent that the interruptible rate credits for Rate B, as shown in JWW-4, page 2 of 8, is not consistent with Rate D (the Interruptible Service).

b. Provide a narrative explaining whether there are customer contracts that provide for interruptible credits priced differently than the credits in Rate D. To the extent that one or more Rate B customers receives interruptible credits that are different than the credits in Rate D, please provide the following:

i. The contract provisions governing any such interruptible credits.

ii. The interruptible load/billing demand that is receiving the credits.

iii. The interruptible credit, in $/kW.

Response 111.

a. Rate B's current interruptible credit is $5.60/kW as specified in Rate D. EKPC is not proposing to change the interruptible credit for Rate B in this proceeding.

b. Rate B's interruptible credit provisions are the same as those specified in Rate D. With regards to Rate B's interruptible credits shown on JWW-4, a reference error was discovered following the application in this proceeding. This reference error was related to a member taking service under Rate B that was receiving interruptible credits that had a billing adjustment in January 2023. This adjustment changed the subsequent month's calculation of the interruptible kW that applied to the Interruptible Credits. Therefore, the interruptible kW shown on Page 2 of Exhibit JWW-4 should be 345,252 kW. EKPC will file a corrected version of JWW-2.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 112
RESPONSIBLE PARTY: Jacob R. Watson

Request 112. Refer to the interruptible to Rate D. Do any customers who use Rate D and receive interruptible credits have an option to buy-through an interruption? If so, describe each such buy-through option that may be included in a customer's contract. To the extent that any such buy-through provisions are included in customer contracts, please confirm that all such buy-through provisions are identical. Provide the specific terms and condition of each such contract with regard to the interruptible credit and any buy-through provisions.

Response 112. Standard contract language is used for those members taking service under Rate D. Please see below for a sample language.

> **EKPC Economic Interruptions.** EKPC may interrupt Customer to avoid purchasing energy from the PJM Market (an "Economic Interruption"). EKPC shall notify Customer that it is calling for an interruption and the notice shall be defined as an Economic Interruption and include the number of hours of such interruption. EKPC will endeavor to provide as much advance notice of interruptions as practicable, but the Customer will have thirty (30) minutes to

interruption. EKPC will endeavor to provide as much advance notice of interruptions as practicable, but the Customer will have thirty (30) minutes to reduce its electric power load to the Firm Load level once notice is sent by EKPC to Customer. Customer shall have the opportunity to buy-through any Economic Interruption and will pay for such buy-through energy. The rate for buy-through energy shall be EKPC's out-of-pocket cost at the PJM EKPC Zone during the interruption hours, plus Cooperative's distribution charge. The amount of buy-through energy billed by the Cooperative to the Customer will be the actual energy consumed by the Customer above the Firm Load each hour of the Economic Interruption. Interruptible buy-through energy shall not include the base energy charge, a fuel adjustment charge or environmental surcharge.

EKPC may offer Customer the ability to secure buy-through energy utilizing a day-ahead pricing option. When offered, Customer will be provided day-ahead information and must follow the instructions given in order to participate. All metered energy above Firm Load during the day-ahead interruption will have the Cooperative distribution charge applied.

EKPC Reliability Interruption. EKPC has the right to call upon a mandatory load-reducing interruption of Customer's Interruptible Demand (a "Reliability Interruption") to participate in the PJM Capacity Market. EKPC shall notify Customer that it is calling for an interruption and the notice shall be defined as a Reliability Interruption. Customer must interrupt its Interruptible Demand, and the buy-through energy provisions related to an Economic Interruption are not available for Reliability Interruptions. For Reliability Interruptions, the terms and conditions of PJM's Capacity Program then in place shall apply. The Customer will have 30 minutes to reduce its load to the Firm Load level once notice is sent by EKPC to Customer.

Once per PJM delivery year (June-May) PJM requires Customer to prove its ability to interrupt load by having Customer reduce the load to or below the firm load. The Customer must interrupt load as a result of this requirement.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 113
RESPONSIBLE PARTY: **Jacob R. Watson**

Request 113. Provide a schedule showing each EKPC customer taking interruptible service (each such customer can be identified by a number, there is no need to identify the customer by name). For each such customer, please provide the following:

a. The Rate schedule on which the customer takes service.

b. The interruptible credit rate currently received. To the extent that the interruptible credit rate has changed since January 2022, provide each such credit rate through the present.

c. The KW of interruptible load, by month for the period January 2022 to the present.

d. The date, time and duration of each interruption called by EKPC during the period January 2022 to the present.

e. Identify whether the customer has an option to buy through an interruption.

f. To the extent that a customer did buy through an interruption, provide the following:

i. The date and time in which the customer bought through the interruption.

ii. The KWH of each buy-through, by date and hour.

iii. The energy charge paid by the customer during each such hour of buy-through. Identify the date and hour of associated with the energy charge.

iv. The total buy-through revenue paid by the customer during the hour.

g. The hourly MWh for each buy-through event, by date and hour for the period January 2022 through the present.

h. The rate charged to the customer for buy-through purchases and the basis for the buy-through rate.

Response 113.

a. Please see attachment *CONFIDENTIAL AG – Nucor DR1 Request 113 – Customer Rate Schedule.xlsx.* provided subject to a motion for confidential treatment.

b. Under Rate D, the current interruptible credit is $5.60 for up to 400 hours of interruption annually. This credit has not changed since 2022. All retail Owner-Members receiving service under Rate D has selected the 400 hour option.

c. Please see attachment *CONFIDENTIAL AG – Nucor DR1 Request 113 – Customer Rate Schedule.xlsx.* provided subject to a motion for confidential treatment.

d. Please see attachment *CONFIDENTIAL AG – Nucor DR1 Request 113 – Interruptible Event Listing.pdf.* provided subject to a motion for confidential treatment.

e. Please see attachment *CONFIDENTIAL AG – Nucor DR1 Request 113 – Customer Rate Schedule.xlsx.* provided subject to a motion for confidential treatment.

f. Please see attachment *CONFIDENTIAL AG - Nucor DR1 Request 113 - Buy Through Reports.pdf.* provided subject to a motion for confidential treatment.

g. Please see attachment *AG - Nucor DR1 Request 113 - Buy Through Reports.pdf.* provided subject to a motion for confidential treatment.

h. Please see attachment *AG - Nucor DR1 Request 113 - Buy Through Reports.pdf.* provided subject to a motion for confidential treatment.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 114
RESPONSIBLE PARTY: Jacob R. Watson

Request 114. Refer to Contract-Steam. Does the Contract-Steam rate include interruptible provisions? If so, provide a narrative explaining the provisions, the interruptible credit, and buy-through options.

Response 114. No, the contract steam rate does not include an interruptible provision.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 115
RESPONSIBLE PARTY: Jacob R. Watson

Request 115. For each customer that receives Rate D interruptible credits, provide the following:

a. The hourly MWh for each buy-through event, by date and hour for the period January 2022 through the present.

b. For each hour identified in Part (a) above, provide the rate charged to the customer for buy-through purchases and the basis for the buy-through rate.

Response 115. a-b. Please refer to EKPC's response to Request 113.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 116
RESPONSIBLE PARTY: Jacob R. Watson

Request 116. Provide a narrative explaining how EKPC treats the Large Special Contract class 10- minute and 90-minute interruptible load in its resource planning.

Response 116. All interruptible load above the firm demand level is removed from EKPC's long-term load forecast. Both the 10-minute and 90-minute portion of the load is removed from the forecast. This means that EKPC does not plan for any generation resource capacity to meet the interruptible portion of the load.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 117
RESPONSIBLE PARTY: Jacob R. Watson

Request 117. Provide a narrative explaining how EKPC treats the interruptible load of customers on Rates E, B, C or on the Special Contract Pumping (if applicable) or the Steam Service rate (if applicable).

Response 117. Interruptible load is treated consistently for all applicable rate classes. All interruptible load above the firm demand level is removed from EKPC's long-term load forecast. This means that EKPC does not plan for any generation resource capacity to meet the interruptible portion of the load. Interruptible load is curtailed for either economic or reliability events. For economic interruptions, EKPC notifies the interruptible load in advance of each load's lead-time, most often on a day-ahead basis. Reliability events are declared by PJM, and thus EKPC provides notice to loads for reliability events as soon as it receives notice from PJM. Reliability events are most often called in real-time, but still in advance of the interruptible load's lead-time. All interruptible loads are subject to an annual interruption test event, scheduled by PJM, if they have not been called on within the year for a reliability event. The special contracts for pumping station and steam load does not participate in the interruptible tariff.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 118
RESPONSIBLE PARTY: Objection- Legal; Response- Jacob R. Watson

Request 118. Does EKPC offer any of its interruptible load to the PJM capacity market? If so, provide by month for the years 2021 through the present the following:

a. For each rate (e.g, Large Special Contract, Rates E, B, C and G) the amount of interruptible load offered and sold to PJM by month (state whether the MW of load is UCAP or ICAP).

b. The revenue per MW-day (or per MW) received from PJM for each of the rates, by month, identified in Part (a) above.

c. Total interruptible capacity revenue received from PJM by month.

d. The ELCC rating applied to these demand response resources.

Response 118. Objection. This request is overly broad and unduly burdensome and is seeking information that is not relevant to this proceeding since the test year is 2023. Without waiving said objection, EKPC is providing the information for 2023 below.

a. Interruptible Load Commitment by Rate Class, UCAP (MW):

	Special Rate	B	C	E	G
January	236.9	20.4	0.0	1.0	7.1
February	236.9	20.4	0.0	1.0	7.1
March	236.9	20.4	0.0	1.0	7.1
April	236.9	20.4	0.0	1.0	7.1
May	236.9	20.4	0.0	1.0	7.1
June	236.9	20.4	0.0	1.0	7.1
July	175.2	19.9	15.4	1.3	4.3
August	175.2	19.9	15.4	1.3	4.3
September	175.2	19.9	15.4	1.3	4.3
October	175.2	19.9	15.4	1.3	4.3
November	175.2	19.9	15.4	1.3	4.3
December	175.2	19.9	15.4	1.3	4.3

b. Capacity Market Interruptible Revenues By Rate Class ($/MW/DAY)

	Special Rate	B	C	E	G
January	$50.00	$50.00	$50.00	$50.00	$50.00
February	$50.00	$50.00	$50.00	$50.00	$50.00
March	$50.00	$50.00	$50.00	$50.00	$50.00
April	$50.00	$50.00	$50.00	$50.00	$50.00
May	$50.00	$50.00	$50.00	$50.00	$50.00
June	$50.00	$50.00	$50.00	$50.00	$50.00
July	$34.13	$34.13	$34.13	$34.13	$34.13
August	$34.13	$34.13	$34.13	$34.13	$34.13
September	$34.13	$34.13	$34.13	$34.13	$34.13
October	$34.13	$34.13	$34.13	$34.13	$34.13
November	$34.13	$34.13	$34.13	$34.13	$34.13
December	$34.13	$34.13	$34.13	$34.13	$34.13

c. Capacity Market Interruptible Revenues by Month ($)

January	$411,226
February	$371,430
March	$411,226
April	$397,960
May	$411,226
June	$221,351
July	$228,730
August	$228,730
September	$221,351
October	$228,730
November	$221,351
December	$228,730

e. ELCC Ratings weren't applicable in the 22/23 Delivery Years.

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REQUEST 119
RESPONSIBLE PARTY: Objection – Legal; Response – Jacob R. Watson

Request 119. Since the beginning of 2021, by month, provide the amount of new crypto mining interruptible load that came under contract by EKPC or its distribution members.

Response 119. Objection. This request is overly broad and unduly burdensome. In addition, years outside the test year are not relevant to this proceeding. However, without waiving said objection EKPC is providing the requested information for 2022.

EKPC does not have a rate dedicated to crypto loads. If members do not identify themselves as crypto, then EKPC would not be able to identify them based on their load alone. See attachment *Confidential AG-Nucor DR1 Request 113 – Customer Rate Schedule.xlsx* for EKPC's response covering 2022, through June 2025. The retail members detailed are all served by the Owner-Member distribution cooperatives, as EKPC does not have any retail members. Only the months with values indicate that the retail member had an active contract. Months without value indicate the retail member had no contract and was not taking power. Months with the value "0" indicate that the billing Coincident Peak was at or below the firm demand, indicating that no interruptible load was available to receive the interruptible credit under Rate D.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 120
RESPONSIBLE PARTY: Jacob R. Watson

Request 120. If the Commission approves EKPC's request to eliminate the 20 MW cap on new interruptible load, how much additional interruptible load does EKPC expect during the first year new base rates will be in effect?

Response 120. EKPC anticipates no additional interruptible load due to this change in the first year of new base rates. There are currently no existing retail Owner-Members identified in which this change will immediately impact. This change should help from an economic development perspective in attracting new loads or expansions of existing loads.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 121
RESPONSIBLE PARTY: Objection – Legal

Request 121. For the first year that new base rates will be in effect, what is EKPC's budgeted revenue from selling interruptible capacity to PJM?

Response 121. Objection. EKPC's rates are based on a historic test year in this proceeding. Forecasted budgeted numbers are not relevant to this proceeding.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 122
RESPONSIBLE PARTY: Jacob R. Watson

Request 122. Has EKPC considered tracking interruptible capacity revenue received from PJM and booking a regulatory asset or liability for amounts above or below the amount in base rates, similar to EKPC's RTEP proposal? If not why not?

Response 122. EKPC has not considered a tracking mechanism for interruptible capacity revenue received from PJM. The intention of the RTEP tracking mechanism is to protect EKPC's financials from dramatic increases in expenses. Receiving revenues in excess of budget does not have the same potential for negative impact as dramatic increases in expenses.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 123
RESPONSIBLE PARTY: Jacob R. Watson

Request 123. To the extent not provided in response to another question, provide the "financial payment" for each month in 2023, 2024, and 2025 to date, received by EKPC from PJM that is referenced on page 36 of EKPC's 2025 IRP ("The MWs of interruptible load is a capacity resource and EKPC receives the financial payment from the PJM capacity market for the interruptible MW participation."). Include the PJM price paid per MW-day and the UCAP MW for each EKPC rate class containing the interruptible load.

Response 123. Please see the response to Item 118.

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ATTORNEY GENERAL AND NUCOR'S REQUEST DATED SEPTEMBER 8, 2025
REQUEST 124
RESPONSIBLE PARTY: Objection – Legal

Request 124. Provide a copy of the confidential version of EKPC's 2025 IRP report.

Response 124. Objection. EKPC's 2025 IRP is outside the scope of this case. Both the AG and Nucor are parties to that proceeding and have access to all confidential documents provided in that proceeding.