

Kentucky Power Company
KPSC Case No. 2025-00257
KYSEIA's First Set of Data Requests
Dated September 29, 2025
Page 1 of 3

DATA REQUEST

**KYSEIA
1_1**

Reference: Cobern Direct at 24:4-5 and Exhibit E, Tariff COGEN/SPP at 143.

- a. In reference to the proposed new language which states “with cogeneration and/or small power production facilities having a total design capacity of more than 10 KW”; please explain how the Company will determine the “total design capacity”. Please specifically:
 - i. Explain whether the determination will rely on AC or DC measurements.
 - ii. Explain what system component or components, such as the inverter, solar modules, a connected energy storage system, or any other component will be used in the determination.
 - iii. Provide detailed examples of how the determination would be made for storage-paired solar facilities under both AC-coupled and DC-coupled configurations.
- b. Please confirm that the 10 kW threshold in the above proposed language will require all Qualifying Facilities under this tariff to take retail service from the Company under a demand-metered tariff. If this cannot be confirmed, please identify the other applicable tariff(s) and when such tariff(s) will be required.
- c. Please explain how the Company selected 10 kW as an appropriate threshold for the demand rate service requirement in the Company's present Tariff COGEN/SPP I, as opposed to a different capacity threshold.
- d. Please explain how the proposed language would be applied to a Qualifying Facility that sells to the Company under this tariff if the Company is not the interconnecting utility, i.e., a Qualifying Facility that receives retail service from another utility.
- e. Please confirm that the proposed change to eligibility for Tariff COGEN/SPP would make Qualifying Facilities with “a net power production capacity” of less than 45 kW ineligible for Tariff COGEN/SPP, and explain what options are available to a Qualifying

Kentucky Power Company
KPSC Case No. 2025-00257
KYSEIA's First Set of Data Requests
Dated September 29, 2025
Page 2 of 3

Facility smaller than 45 kW if it cannot receive service under Tariff N.M.S. II.

f. Please explain what is meant by, or the definition of, the phrase “net power production capacity”.

RESPONSE

a. Kentucky Power objects to this request as it mischaracterizes the Company's application. The language described in this request as “new” is not new language. This language was in the previously approved Tariff COGEN/SPP I, which was for cogeneration and small power production that was below 100 kw. The Company is proposing to combine COGEN/SPP I and COGEN SPP II into one and so this language, which still addresses cogeneration and small power production facilities with a total design capacity of less than 10kW needed to be carried into the new combined COGEN/SPP tariff. It appears as a redline in Exhibit E because it was one of the existing differences between the prior COGEN/SPP I and COGEN SPP II tariff. Subject to and without waiving this object, the Company responds as follows

i.-iii. The nameplate rating of a proposed distributed energy resource (“DER”) is evaluated pursuant to the AEP Technical Interconnection and Interoperability Requirements (“TIIR”). In particular,

1. **Per the AEP's TIIR Section 4.15:** A DER Facility's nameplate rating is used for state level determination and tariff eligibility.
 - a. A DER Facility's nameplate rating is the summation of the rated AC output capacity of all individual inverter-based and non-inverter-based resources that operate in parallel with Area EPS (grid-connected) behind a single Point of Common Coupling.
 - b. For inverter-based solar systems, the nameplate AC output capacity of the interconnecting inverter is utilized, regardless of the amount of DC capacity provided solar modules.
 - c. For inverter-based energy storage systems,
 - i. If the storage component and inverter are sold as a single system/unit/model, the nameplate AC capacity of the system is utilized.

Kentucky Power Company
KPSC Case No. 2025-00257
KYSEIA's First Set of Data Requests
Dated September 29, 2025
Page 3 of 3

- ii. If the storage component and inverter are separate systems, the nameplate AC output capacity of the interconnecting inverter is utilized, regardless of the amount of DC capacity provided by the storage system.
 - d. When inverter-based solar and energy storage is DC coupled, the nameplate AC output capacity of the interconnecting inverter is utilized, regardless of the amount of DC capacity provided by solar modules or energy storage.
 - e. For non-inverter-based resources, such as synchronous generators, the equipment's nameplate AC output capacity is used.
- b. Please see the Company's response to KPSC 2_3. The 45 kW lower limit was included in error and thus, if this is removed, there would be some customers who may be eligible to take service without a demand meter.
- c. The 10 kW threshold, and the inclusion of a demand rate, ensures a more appropriate contribution to existing system costs. The objective is to recognize that, under Tariff COGEN/SPP, much of the kWh-based revenue will be netted out, making the demand component necessary to recover fixed system costs.
- d. The Company is not obligated under PURPA to buy the output of a Qualifying Facility where it is not the interconnecting utility nor would the facility qualify for the Company's tariff.
- e. Please see the Company's response to KPSC 2_3. The 45 kW lower limit was included in error and thus ,if this is removed, a project could take service under Tariff COGEN/SPP if it were under 45 kW.
- f. This calculation can be found in FERC's Form 556 in the Technical Facility Information section at <https://www.ferc.gov/media/form-no-556>.

Witness: Michael M. Spaeth (c)

Witness: Tanner S. Wolfram (a, b, d, e, f)

Kentucky Power Company
KPSC Case No. 2025-00257
KYSEIA's First Set of Data Requests
Dated September 29, 2025

DATA REQUEST

KYSEIA Reference: Exhibit E, Tariff N.M.S. II at 119 under the "Availability of
1_2 Service" section, item (2) which states "Has a rated capacity of not greater
 than forty-five (45) kilowatts".

Please explain what options the Company will provide to a Qualifying
Facility with a "rated capacity" greater than 45 kW but a "net power
production capacity" of less than 45 kW capacity.

RESPONSE

Please see the Company's response to KPSC 2_3. The 45 kW limit was included in error.

Witness: Tanner S. Wolfram

Kentucky Power Company
KPSC Case No. 2025-00257
KYSEIA's First Set of Data Requests
Dated September 29, 2025

DATA REQUEST

KYSEIA Reference: Coburn Direct at 24:9-11 and Exhibit E, Tariff COGEN/SPP at
1_3 145.

a. Please confirm that Qualifying Facilities will have their choice of contract duration within the proposed range of 5 years and 20 years.

RESPONSE

Confirmed.

Witness: Tanner S Wolffram

Kentucky Power Company
KPSC Case No. 2025-00257
KYSEIA's First Set of Data Requests
Dated September 29, 2025
Part 1 of 2

DATA REQUEST

**KYSEIA
1_4**

Reference: Coburn Direct at 24:12-22 and Exhibit E, Tariff COGEN/SPP at 146.

- a. With respect to the proposed language that states, "The Company shall not provide a prospective Cogen/SPP customer with a contract for service under this tariff until the customer has met the burden of establishing a legally enforceable obligation ("LEO") under PURPA." Please explain whether the Company will still make a contract available to Qualifying Facilities that choose the option to sell output to the Company on an as-available basis rather than pursuant to the LEO.
- b. With respect to Term 1 regarding Qualifying Facility self-certification with the FERC. Please confirm that the Company is proposing to require the FERC certification for Qualifying Facilities that are 1 MW or smaller even though such Qualifying Facilities are exempt under FERC Order No. 732 from filing Form 556 with the FERC in order to be a Qualifying Facility.
- c. Please confirm whether the LEO will be established by a Qualifying Facility on the date when the Qualifying Facility submits the information required in paragraphs 1 through 7 of this tariff section. If your response is anything other than an unqualified confirmation, please explain in detail all other information required or process steps required for a Qualifying Facility to establish the LEO.
- d. Please explain what constitutes "the Company's satisfaction" in the statement "A LEO will be established for the Customer's facility when the following criteria have been met to the Company's satisfaction."
- e. Please how the Company proposed to determine whether a prospective customer has made "meaningful steps to obtain site control" and provide examples of how that milestone can be met and the specific documentation required for verification.

Kentucky Power Company
KPSC Case No. 2025-00257
KYSEIA's First Set of Data Requests
Dated September 29, 2025
Part 2 of 2

RESPONSE

a. Tariff COGEN/SPP provides avoided cost pricing to QFs and cogeneration facilities that meet the requirements under PURPA. Establishing LEOs is a requirement under PURPA and, accordingly, if a project cannot establish LEOs, it will not meet the requirements under PURPA and the Company is not required to purchase the output of the facility.

b. Confirmed.

c-e. See the Company's response to KPSC 2_5

Witness: Tanner S. Wolfram

Kentucky Power Company
KPSC Case No. 2025-00257
KYSEIA's First Set of Data Requests
Dated September 29, 2025

DATA REQUEST

**KYSEIA
1_5** Reference the Company's Tariff N.M.S II in the portions providing the Application for Interconnection and Net Metering for Level 1 and Level 2 facilities.

a. Please explain whether the Company requires an engineer's stamp on system line drawings, schematics, or other design documents submitted as part of the interconnection process.

b. If an engineer's stamp is required as part of the interconnection process, please explain the basis or purpose of the requirement.

c. Please explain under what circumstances an engineer's stamp would be required as part of the interconnection process, and under what circumstances it would not be required as part of the interconnection process.

d. Please explain what differences, if any, that would exist in the interconnection application and evaluation processes for a 45 kW facility that seeks service under Tariff N.M.S. II as compared to facility that is otherwise identical but is sized at 46 kW and would instead be required to take service under Tariff COGEN/SPP I (or its successor). Your response should include an explanation of both any differences that do exist, and why they are reasonable and necessary for safety and reliability.

RESPONSE

a-c. This information is publicly available on the Company's website <https://www.kentuckypower.com/business/builders/generating-equipment>. The document on this page titled "DER Technical Interconnection and Interoperability Requirements" provides the steps for interconnection (Section 3.0 Interconnection Application process).

d. The technical evaluation of DER does not consider the tariff the project is interconnecting under. There would be no difference in the interconnection technical evaluation approach used for a 45 kW facility vs. a 46 kW facility.

Witness: Tanner S. Wolfram

Kentucky Power Company
KPSC Case No. 2025-00257
KYSEIA's First Set of Data Requests
Dated September 29, 2025

DATA REQUEST

**KYSEIA
1_6**

Reference Exhibit E, Tariff COGEN/SPP at 143, which reflected a minimum “net power production capacity” threshold of 45 kW.

a. Would a solar facility with a nameplate rating of 40 kW paired with a battery storage facility with a maximum discharge or nameplate rating of 25 kW that is capable of charging from the grid qualify for service under proposed Tariff COGEN/SPP?

b. In reference to the hypothetical facility described in subpart (a) of this request, does the ability of the storage component to charge from the grid impact qualification under Tariff COGEN/SPP with respect to the minimum size threshold? If so, please explain in detail why grid charging capability is a factor in determining the net power production capacity and eligibility for Tariff COGEN/SPP.

c. Does Section 210 of the Public Utility Regulatory Policies Act of 1978 require the Company to purchase electricity discharged by a battery storage system that was sourced from the grid to charge the battery, as opposed to having been produced by a small power production or cogeneration facility that also provides charging energy to the battery storage facility? Please explain why or why not in detail.

RESPONSE

The Company objects to this request on the grounds that it calls for a legal conclusion. Subject to and without waiving this objection, Kentucky Power states that Public Utility Regulatory Policies Act of 1978 and its implementing regulations establish requirements for qualifying facilities and cogeneration facilities. Those regulations speak for themselves. Additionally, please see the Company's response to KPSC 2_3 regarding the inadvertent inclusion of the 45 kW threshold.

Respondent: Counsel

Witness: Tanner S. Wolfram

VERIFICATION

The undersigned, Michael M. Spaeth, being duly sworn, deposes and says he is the Regulatory Pricing and Analysis Manager for American Electric Power Service Corporation, that he has personal knowledge of the matters set forth in the foregoing responses and the information contained therein is true and correct to the best of his information, knowledge, and belief.



Michael M. Spaeth

State of Ohio

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Case No. 2025-00257

Subscribed and sworn to before me, a Notary Public in and before said County
and State, by Michael M. Spaeth, on 10/8/2025.



Notary Public

My Commission Expires Never

Notary ID Number NO ID



Paul D. Flory
Attorney At Law
Notary Public, State of Ohio
My commission has no expiration date
Sec. 147.03 R.C.

VERIFICATION

The undersigned, Tanner S. Wolfram, being duly sworn, deposes and says he is the Director of Regulatory Services for Kentucky Power, that he has personal knowledge of the matters set forth in the foregoing responses and the information contained therein is true and correct to the best of his information, knowledge, and belief.


Tanner S. Wolfgram

Commonwealth of Kentucky)
)
County of Boyd)

Case No. 2025-00257

Subscribed and sworn to before me, a Notary Public in and before said County
and State, by Tanner S. Wolffram, on October 9, 2025.

Marilyn Michelle Caldwell
Notary Public

My Commission Expires May 5, 2027

Notary ID Number KYNPT1841

