

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF KENTUCKY	)	
POWER COMPANY FOR APPROVAL OF A	)	CASE NO.
CONTRACT FOR ELECTRIC SERVICE WITH	)	2019-00124
M C MINING, LLC	)	

ORDER

On May 1, 2019, Kentucky Power Company (Kentucky Power) filed an application requesting approval of a special contract between Kentucky Power and M C Mining, LLC. The terms of the contracts are developed pursuant to Kentucky Power's Tariff C.S. – Coal (Contract Service – Coal Power).

Having reviewed Kentucky Power's application, the Commission finds that an investigation will be necessary to determine the reasonableness of the request. The Commission further finds that a procedural schedule should be established for the orderly processing of this matter. The procedural schedule is attached as an Appendix to this Order and incorporated herein.

IT IS THEREFORE ORDERED that:

1. The procedural schedule set forth in the Appendix to this Order shall be followed in this proceeding.
2. a. Responses to requests for information shall be appropriately bound, tabbed, and indexed and shall include the name of the witness responsible for responding to the questions related to the information provided with the original and an electronic

version to the Commission. Electronic documents shall be in portable document format (PDF), shall be searchable and shall be appropriately bookmarked.

b. Each response shall be answered under oath, or for representatives of a public or private corporation or a partnership or an association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

c. Any party shall make timely amendment to any prior response if it obtains information which indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect.

d. For any request to which a party fails or refuses to furnish all or part of the requested information, that party shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

e. Careful attention should be given to copied material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request.

f. A party filing a paper containing personal information shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read.

3. As set forth in 807 KAR 5:001, Section 4(11)(a), a person requesting permissive intervention in a Commission proceeding is required to demonstrate either (1)

a special interest in the proceeding which is not adequately represented in the case, or (2) that the person requesting permissive intervention is likely to present issues or develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings. Further, KRS 278.040(2) requires that a person seeking intervention must have an interest in the rates or service of a utility, as those are the only matters that are subject to the Commission's jurisdiction. Therefore, any person requesting to intervene in a Commission proceeding must state with specificity the person's special interest that is not otherwise adequately represented, or the issues and facts that the person will present that will assist the Commission in fully considering the matter. A mere recitation of the quantity of utility service consumed by the movant or a general statement regarding a potential impact of possible modification of rates will not be deemed sufficient to establish a special interest. In addition, any motion to intervene filed after May 31, 2019, shall also show good cause for being untimely. If the untimely motion is granted, the movant shall accept and abide by the existing procedural schedule.

4. Kentucky Power shall give notice of the hearing in accordance with the provisions set out in 807 KAR 5:001, Section 9(2)(b). In addition, the notice of hearing shall include the following statement: "This hearing will be streamed live and may be viewed on the PSC website, [psc.ky.gov](http://psc.ky.gov)." At the time publication is requested, Kentucky Power shall forward a duplicate of the notice and request to the Commission.

5. At any public hearing in this matter, neither opening statements nor summarization of direct testimonies shall be permitted.

6. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), the official record of the proceeding shall be by video only.

7. The Commission does not look favorably upon motions for continuance. Accordingly, motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause.

8. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

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By the Commission

ENTERED  
MAY 14 2019  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:



Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2019-00124 DATED **MAY 14 2019**

- Requests for intervention shall be filed by .....05/31/19
- All initial requests for information to Kentucky Power  
shall be filed no later than.....06/14/19
- Kentucky Power shall file responses to initial requests for  
information no later than .....06/28/19
- All supplemental requests for information to Kentucky Power  
shall be filed no later than.....07/15/19
- Kentucky Power shall file responses to supplemental requests  
for information no later than.....07/29/19
- Intervenor testimony, if any, in verified prepared form, shall  
be filed no later than ..... To Be Determined
- All requests for information to Intervenors shall be filed no  
later than..... To Be Determined
- Intervenors shall file responses to requests for information  
no later than..... To Be Determined
- Kentucky Power shall file rebuttal testimony, if any,  
no later than..... To Be Determined

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