

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC INVESTIGATION OF THE	)	CASE NO.
SERVICE, RATES AND FACILITIES OF	)	2021-00370
KENTUCKY POWER COMPANY	)	

ORDER

On January 3, 2023, Kentucky Power Company (Kentucky Power) filed a motion requesting to discontinuing filing ten-day status reports regarding a matter before the West Virginia Public Service Commission (WV PSC). As a basis for its motion, Kentucky Power stated that the WV PSC case that is the subject of the ten-day status report was closed on July 14, 2022, and that no responsive documents had been filed since September 1, 2022.

BACKGROUND

Kentucky Power and another American Electric Power (AEP) affiliate, Wheeling Power Company (Wheeling Power) each own a 50 percent undivided interest in the Mitchell Generating Station (Mitchell) located in West Virginia. Kentucky Power's interest in Mitchell is subject to this Commission's jurisdiction and Wheeling Power's interest in Mitchell is subject to the jurisdiction of the WV PSC. The ten-day status report filing was established in Case No. 2021-00004,<sup>1</sup> in which Kentucky Power requested, among other

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<sup>1</sup> Case No. 2021-00004, *Electronic Application of Kentucky Power Company for Approval of a Certificate of Public Convenience and Necessity for Environmental Project Construction at the Mitchell Generating Station, An Amended Environmental Compliance Plan, and Revised Environmental Surcharge Tariff Sheets* (Ky. PSC Aug. 19, 2021), Appendix A, Item 1.

things, a Certificate of Public Convenience and Necessity (CPCN) for proposed environmental compliance projects at Mitchell. Wheeling Power filed an application for approval of the same projects from the WV PSC. The purpose of the ten-day status report filing was to ensure that this Commission was aware of filings and positions taken by Wheeling Power in the WV PSC case because the subject matter of the WV PSC case implicated pending matters regarding Kentucky Power. To ensure transparency and a robust record in this case, Kentucky Power was required to file the same ten-day status report in this case as was filed in Case No. 2021-00004. When a final Order was issued in Case No. 2021-00004, Kentucky Power was relieved of filing the ten-day status report in Case No. 2021-00004 and required to continue filing the ten-day status report in this case.

#### DISCUSSION AND FINDINGS

Based upon the motion and case record, and being otherwise sufficiently advised, the Commission finds that Kentucky Power established good cause to discontinue the ten-day status report filing requirement and thus Kentucky Power's motion should be granted. This is because the WV PSC case being monitored has been closed since September 1, 2022, and, without additional filings, the purpose of the filings has been satisfied and the matter is now moot. However, because Kentucky Power still retains a 50 percent undivided interest in Mitchell, the Commission finds that Kentucky Power should be required to file written notice in this proceeding of any future WV PSC cases regarding Mitchell through December 2028 or until Kentucky Power's undivided 50 percent interest in Mitchell is terminated, whichever occurs first. By requiring Kentucky Power to provide written notice of cases regarding Mitchell that are pending before the

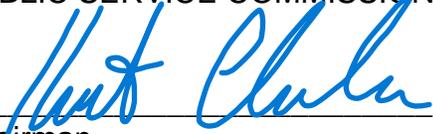
WV PSC, this Commission will receive timely notice regarding issues related to Mitchell that impact Kentucky Power.

IT IS THEREFORE ORDERED that:

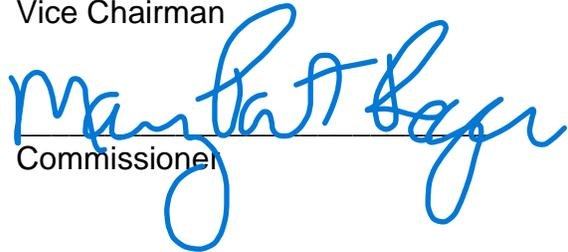
1. Kentucky Power's motion to discontinue the ten-day update is granted.
2. Kentucky Power shall file written notice in this proceeding of any new proceedings initiated before the WV PSC related to the Mitchell Generating Station within 15 days of any such proceeding being initiated.
3. Written notice provided pursuant to ordering paragraph 2 shall include the case style, subject matter of the case, and parties to the case as of the date of the initiating documents.

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PUBLIC SERVICE COMMISSION

  
Chairman

Vice Chairman

  
Commissioner

ENTERED  
JAN 10 2023  
rcs  
KENTUCKY PUBLIC  
SERVICE COMMISSION

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