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FEB 22 2022

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COMMISSION

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Before the KyPSC
Case # 2021-00421

The KyPSC made the correct decision denying Kypco Elg Plan for Mitchell generating plant. Ehibit 1 shows on the second page "Item5" states EPA intends to publish a proposed steam electric power generating Elg supplemental rule in fall of 2022. It looks like West. Va. psc jump the gun when they approved wheeling ELG plan. How can you build a Elg system at Mitchell Power Plant when the EPA has not approved the new rules yet. Then there will be legal battles when the new Elg rules are approved.

Kypsc saved Kypco customers and wheeling customers a lot of money for unnecessary work at this time. Elg plan at Mitchell Plant is a poor excuse by AEP to take control of Mitchell away from Kypco and give it to wheeling power. Kypco is not sold to Liberty yet. AEP is playing West. Va. psc against Kypsc like they have played PJM and Ferc against

KyPSC all along.

Some reason AEP wants to sell Kypco.

① Kpco has a large service area appox. 150 miles long and 100 miles wide

② Kypco has a small customer base of 165,000 for such a large service area

③ customer base is getting smaller and starting to use solar systems, plus leaving area to find work. Making Kypco not very profitable for the future.

④ AEP has bled Kypco dry. They have got $536,000,000 for 50% of Mitchell generating plant, Million for retiring Lousia power plant, and millions for projects they have done. NOW AEP is going to sale Kypco for 2.8 billion dollars.

⑤ AEP has Kypco in debt for 1.2 billion dollars or more. Its going to be very difficult for Kypco to borrow money.

⑥ Kypco has a very poor customer base and they cannot afford anymore.

Now AEP wants to take management control of Mitchell Generating plant away from KyPSC and Kypco since AEP wants

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to sell Kypco to Liberty. You know Kypco own 50% of the mitchell plant. If Liberty buys Kypco, then Liberty and the KyPSC has just as much right to manage Mitchel as wheeling and the West, Va. PSC. KyPSC gave Kypco the operator position when appalachain power dropped out of buying 50% of mitchell. in case # 2012-00578. I ask the KyPSC to deny all Kypco and AEP Proposed Mitchell agreements and every thing in case # 2021-00421. AEP is putting the shaft to Kypco customers. KyPSC must not give up their control of Mitchell power plant. because:

1. AEP don't want KyPSC & Liberty to manage Mitchell power plant.
2. AEP want to push Liberty out of mitchell at a later date after they get their money.
3. Coal power plants has to exist to back up green energy because green energy is not dependable.

On 11-19-2021 Kypco filed the application for case 2021-00421. The Proposed Mitchell agreement by Kypco reads like AEP is trying to push out Kypco and it customers and take complete control of Mitchell in 2028. and maybe buy it or force a sale. this is unfair to Kypco customers and is not in their best interest.

Ehibit 2 page 44 item 7 shows Mitchell generating plant was sold by AEP to Kypco in case # 2012-00578. Final order NO. 20131007, Issued oct. 7, 2013 reads NVB price $536,000,000 for Mitchell generating plant

Ehibit 2 on final order page 44 Item 5 reads Kypsc gives Kypco authority to operate. Mitchell generating plant

Stipulation agreement for case. NO. 2012-00578 page 6 Item #4 shows beginning Jan 1, 2014 (ATR) tariff shall collect $ 44,000,000 yearly in Ehibit 1

stipulation agreement for case # 2012-00578 a new base rate to collect Mitchell generating plant are reset to remove $44,000,000 by substituting (ATR-2) tariff for 25 year peroid. in Ehibit 1-A of the stipulation

(5) agreement

Kypco customers have been paying for mitchell generating plant since Jan. 1, 2014. at $44,000,000 a year for 7 years. Kypco Customers still owes for 18 more years. The $536,000,000 for Mitcheli will not be paid off till Jan 1, 2039.

If AEP pushes Kypco out of mitchell and forces Kypco to sale sale its 50% of mitchell in 2028 then Kypco customers will still owe 11 more yrs. till 2039. Is Kypco customers going to get to use Mitchell beyond 2039 when its paid off and not make no payments. Kypco customers cannot afford to build and buy Power Plants because they are poor people and have to do without food & medicine to pay their electric bill.

Kypco customers electric bills are among the highest in America. Kypsc should Know what kind of people AEP are by what AEP is trying to pull off in case #2021-00421. I would be ashame if I were AEP.

If Liberty buys Kypco, then divide Mitchell between Liberty & wheeling power. Then let Kypco manage their 50%

and AEP and wheeling manage their 50% of Mitchell. you know Mitchell has two 750 kw power plants. as long as AEP is in the picture they will bleed Kypco customers dry.

I ask the Kypsc to deny all AEP and Kypco request in case #2021-00421. The EIG rule is just an excuse for AEP to give control of Mitchell to wheeling Power of west Va. KyPSC ruled in case 2012-00578 making Kypco operator of Mitchell. I ask the KyPSC to protect Kypco customers and to keep AEP honest. Kypsc must never give up control of Mitchell plant.

Respectifully

Freddie Coleman

Ehibit 1

September 2021 EPA 821-F-21-003

Preliminary Effluent Guidelines Program Plan 15

EPA has released Preliminary Effluent Guidelines Program Plan 15 (Preliminary Plan 15), which describes analyses, studies, and rulemakings related to effluent limitations guidelines and pretreatment standards (ELGs). ELGs are national, technology-based regulations developed to control industrial wastewater discharges to surface waters and into publicly owned treatment works. ELGs are intended to represent the greatest pollutant reductions that are economically achievable for an industry. Clean Water Act section 304(m) requires EPA to biennially publish a plan for new and revised ELGs, after public review and comment. Members of the public may submit comments on the contents of Preliminary Plan 15 for 30 days following publication in the Federal Register.

Preliminary Plan 15 announces the status of EPA's efforts since the publication of ELG Program Plan 14:

First, EPA is announcing a rulemaking to revise the ELGs for the Organic Chemicals, Plastics, and Synthetic Fibers (OCPSF) category to address per- and polyfluoroalkyl substances (PFAS) discharges from facilities manufacturing PFAS. Using available sampling data, EPA verified that PFAS, including legacy long-chain PFAS and short-chain replacement PFAS, are present in wastewater discharges from OCPSF facilities.

Second, EPA plans to conduct rulemaking to revise the Metal Finishing ELGs to address PFAS discharges from chromium electroplating facilities. EPA found that the use of PFAS-based mist/fume suppressants at these facilities results in wastewater containing PFAS. Data indicate that PFAS, including both legacy long-chain PFAS and short-chain replacement PFAS, are present in wastewater discharges from these facilities. Additionally, EPA identified several chromium electroplating facilities that have effectively reduced effluent concentrations of PFAS using granular activated carbon treatment.

Third, EPA has completed its detailed study of the Meat and Poultry Products point source category and is announcing a rulemaking to revise the ELGs last updated in 2004. This category includes facilities that slaughter, further process meat and poultry, or perform rendering operations. The data indicate that this industry discharges the highest phosphorus levels and second highest nitrogen levels of all industrial categories, causes treatment problems at publicly owned treatment works receiving wastewater discharges, and that the existing ELG's only apply to a small portion of the operating facilities nationwide.

Fourth, EPA will conduct detailed studies on PFAS in wastewater discharges from landfills as well as textile and carpet manufacturers. EPA identified landfill leachate as a source of PFAS to the environment resulting from disposal of products that contain PFAS. EPA identified textile and carpet manufacturing wastewater as a source of PFAS to the environment resulting from the use of PFAS chemicals in manufacturing at these facilities.

Fifth, EPA intends to publish a proposed Steam Electric Power Generating ELG supplemental rule in the fall of 2022, following a July 26, 2021 announcement that EPA is initiating a rulemaking process to strengthen certain discharge limits for certain wastewater streams from coal power plants that use steam to generate electricity.

Finally, Preliminary Plan 15 provides updates on ongoing point source category studies of the Electrical and Electronic Components category and the Multi-Industry PFAS study, and indicates that EPA does not intend to take further action on oil and gas extraction wastewater management at this time. Preliminary Plan 15 also provides initial results from EPA's review of the following existing point source categories: Metal Products and Machinery, Explosives Manufacturing, Canned and Preserved Seafood, Sugar Processing, Soap and Detergent Manufacturing, and Landfills.

EPA solicits comments on the entirety of Preliminary Plan 15. EPA is particularly interested in comments on the new cross-category wastewater pollutant concentration rankings analysis, the status of the preliminary reviews of high-ranking categories, the capabilities of membranes for industrial wastewater treatment technology, and the status of the PFAS multi-industry study. Additionally, the public is encouraged to provide suggestions for how best to include environmental justice (for overburdened and underserved communities) in ELG planning analyses.

Preliminary Effluent Guidelines Program Plan 15 and related information are available at epa.gov/eg/preliminary-effluent-guidelines-program-plan .

Ehibit 2

Kentucky Power has requested approval of a renewable energy purchase agreement and that case is currently pending before the Commission.[69] The final resolution of the disposition of Big Sandy Unit 1 and Case No. 2013-00144 will bring more clarity to Kentucky Power's capacity and energy needs. Accordingly, the Commission will closely scrutinize Kentucky Power's treatment of its off-system sales and any associated mechanism proposed in the company's next base rate case.

IT IS THEREFORE ORDERED that:

1. Kentucky Power's request to acquire an undivided 50 percent interest in the Mitchell Generating Station and to assume an undivided 50 percent interest in the liabilities associated with the Mitchell acquisition is approved subject to the provisions of the Stipulation set forth in Appendix A and Kentucky Power's acceptance of the modifications to the Stipulation set forth in Appendix B.

2. The Stipulation, including the tariffs proposed to implement the terms of the Stipulation, is approved subject to Kentucky Power's acceptance of the modifications to the Stipulation set forth in Appendix B.

3. Kentucky Power's request for a deviation from KRS 278.2207(2) is denied as moot.

4. Within seven days from the date of this Order, the President of Kentucky Power shall file written notice with the Commission indicating whether Kentucky Power accepts and agrees to be bound by the modifications to the Stipulation as set forth in Appendix B.

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[69] Case No. 2013-00144, *Application of Kentucky Power Company for Approval of the Terms and Conditions of the Renewable Energy Purchase Agreement for Biomass Energy Resources Between the Company and ecoPower Generation-Hazard LLC; Authorization to Enter Into the Agreement; Grant of Certain Declaratory Relief; and Grant of All Other Required Approvals and Relief* (filed April 10, 2013).

5. Should APCo fail to obtain ownership of the remaining undivided 50 percent interest of the Mitchell Station and a revised Mitchell Plant Operating Agreement is filed with FERC to reflect Kentucky Power's status as operator of the Mitchell Station, Kentucky Power shall file a copy of the FERC application and apprise the Commission of FERC's final decision on the application.

6. Kentucky Power shall file annual status reports concerning the performance of the Mitchell Station as discussed herein no later than March 1, 2014, and on the same date each year thereafter until the Commission orders otherwise.

7. In the event the West Virginia PSC approves APCo's request to acquire the remaining 50 percent undivided interest in the Mitchell Station at a NBV that is lower than the $536 million NBV proposed in the instant matter, Kentucky Power's authority to acquire the Mitchell Station shall be limited to the NBV as found by the West Virginia PSC.

8. Within seven days after the closing of the Mitchell transaction, Kentucky Power shall file written notification to the Commission detailing the status of the transaction.

9. Within 20 days after the date of closing the Mitchell transaction, Kentucky Power shall file with the Commission its tariff sheets as approved herein, showing their date of issue and that they were issued by authority of this Order.

10. Any documents filed pursuant to ordering paragraphs 8 and 9 of this Order shall reference the number of this case and shall be retained in the utility's general correspondence file.

Nothing contained herein shall be construed as a finding of value for any purpose or as a warranty on the part of the Commonwealth of Kentucky or any agency thereof as to the securities authorized herein.

By the Commission

ENTERED

OCT 07 2013

KENTUCKY PUBLIC SERVICE COMMISSION

ATTEST:

Aaron D. Greenwell for

Executive Director