

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF KENTUCKY)	
POWER COMPANY FOR A CERTIFICATE OF)	
PUBLIC CONVENIENCE AND NECESSITY TO)	CASE NO.
CONSTRUCT 69 KV TRANSMISSION LINES AND)	2022-00236
ASSOCIATED FACILITIES IN PIKE COUNTY,)	
KENTUCKY)	

ORDER

On September 8, 2022, Kentucky Power Company (Kentucky Power) filed an application seeking a Certificate of Public Convenience and Necessity (CPCN) to construct approximately 6.5 miles of 69 kV transmission line in Pike County, Kentucky, along with several associated projects. On September 21, 2022, a public comment was filed by Pauline Stump and Charles Stump requesting “a hearing.” Upon review of the application, Charles Stump owns land over which the proposed transmission line will cross.¹ As a result, he is an interested party pursuant to KRS 278.020(9),

[i]n a proceeding on an application filed pursuant to this section, any interested person, including a person over whose property the proposed transmission line will cross, may request intervention and the commission shall, if requested, conduct a public hearing in the county in which the transmission line is proposed to be constructed, or, if the transmission line is proposed to be constructed in more than one county, in one of those counties.

¹ Application, Exhibit 4 and Exhibit 12, parcel 43.

Pursuant to 807 KAR 5:120, Section 3 “(1) [a]ny interested person under KRS 278.020(8) may request that a local public hearing. . . . This hearing shall be requested no later than thirty (30) days after filing of an application for a certificate of public convenience and necessity.” KRS 278.020 was amended in both 2018 and 2019. KRS 278.020(8) as referenced in 807 KAR 5:120, Section 3, became KRS 278.020(9). However, 807 KAR 5:120 has not been amended to reflect the change in numbering.

Mr. Stump requested a local public hearing and is an interested person. In accordance 807 KAR 5:120, Section 3; KRS 278.020(9); and 807 KAR 5:001, the Commission will hold a local public hearing for the purposes of taking public comment on this matter. In accordance with 807 KAR 5:120, Section 3(4), “[a]t least five (5) days before the date established by the commission for a local public hearing, the applicant shall submit to the commission proof that it has given the general public notice of the hearing in a newspaper of general circulation in the county or counties in which the construction is proposed.” In this case, the public hearing shall be held on October 25, 2022, at the Pike County Courthouse, Second Floor, 146 Main Street, Pikeville, Kentucky 41501, and shall begin at 4 p.m. Eastern Daylight Time. The utility shall give notice to all interested persons as defined by KRS 278.020(9), including Charles Stump.

IT IS THEREFORE ORDERED that:

1. A local public hearing is convened for the purpose of taking public comment on Kentucky Power’s application to construct a 6.5 mile of 69 kV transmission line and associated projects.

2. The local public hearing shall be held on October 25, 2022, at the Pike County Courthouse, Second Floor, 146 Main Street, Pikeville, Kentucky 41501, and shall begin at 4 p.m. Eastern Daylight Time.

3. No evidence shall be taken at the local public hearing.

4. Kentucky Power shall have a representative present at the local public hearing to answer questions from the public.

5. Kentucky Power shall (1) publish notice in the newspaper of general circulation of the time and place of the local public hearing to the residents of Pike County; (2) provide written notice to each of the property owners, including Pauline Stump and Charles Stump, directly affected by the proposed transmission line route and associated projects of the time and place of the local public hearing; and (3) written notice of the time and place of the local public hearing to the Pike County Judge Executive.


6. Kentucky Power shall file with the Commission proof of publication of the notice of local public hearing at least five days before the hearing.

PUBLIC SERVICE COMMISSION



Chairman

Vice Chairman



Commissioner



ATTEST:



Executive Director

*Hector Garcia-Santana
Kentucky Power Company
1645 Winchester Avenue
Ashland, KY 41101

*Kentucky Power Company
1645 Winchester Avenue
Ashland, KY 41101

*Katie M Glass
Stites & Harbison
421 West Main Street
P. O. Box 634
Frankfort, KENTUCKY 40602-0634

*Honorable Mark R Overstreet
Attorney at Law
Stites & Harbison
421 West Main Street
P. O. Box 634
Frankfort, KENTUCKY 40602-0634

*Sara R. Jantusch
Kentucky Power Company
1645 Winchester Avenue
Ashland, KY 41101