

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF KENTUCKY)	
POWER COMPANY FOR (1) A GENERAL)	
ADJUSTMENT OF ITS RATES FOR ELECTRIC)	
SERVICE; (2) APPROVAL OF TARIFFS AND)	
RIDERS; (3) APPROVAL OF ACCOUNTING)	CASE NO.
PRACTICES TO ESTABLISH REGULATORY)	2023-00159
ASSETS AND LIABILITIES; (4) A)	
SECURITIZATION FINANCING ORDER; AND (5))	
ALL OTHER REQUIRED APPROVALS AND)	
RELIEF)	

ORDER

On June 26, 2023, Kentucky Power Company (Kentucky Power) filed a motion that requested the Commission grant a deviation pursuant to 807 KAR 5:001, Section 22 and 807 KAR 5:011, Section 15 to allow a deviation from the requirements 807 KAR 5:001, Section 17(2)(b)(3) and 807 KAR 5:011, Section 8(2)(b)(3) which require a utility filing for a general adjustment of its rates¹ or approval of a new tariff or tariff revisions² to publish newspaper notice for three consecutive weeks.

LEGAL STANDARD

Commission regulation 807 KAR 5:001, Section 17(2) outlines the methods for a utility to provide notice to its customers of an application for an adjustment of rates. Commission regulation 807 KAR 5:001, Section 17(2)(b)(3) permits a utility to satisfy the

¹ 807 KAR 5:001, Section 17(2)(b)(3).

² 807 KAR 5:011, Section 8(2)(b)(3).

notice requirement by publishing the notice in a newspaper of general circulation in the utility's service area once a week for three weeks.³ Commission regulation 807 KAR 5:001, Section 22 allows the Commission to grant deviation from the regulations for good cause shown.⁴ Commission regulation 807 KAR 5:011, Section 6 outlines procedures for a utility to file a tariff or tariff revision. Commission regulation 807 KAR 5:011, Section 8(2)(b)(3) permits a utility to satisfy the notice requirement of the tariff by publishing the notice in a newspaper of general circulation in the utility's service area once a week for three weeks.⁵ Commission regulation 807 KAR 5:011, Section 15 allows the Commission to grant a deviation of the regulations for good cause shown.⁶

DISCUSSION AND FINDINGS

Kentucky Power was previously granted a deviation to publish an abbreviated customer newspaper notice for its upcoming general adjustment of rates.⁷ Kentucky Power stated it has prepared the abbreviated notice and made plans to have the notice published in the 20 newspapers of general circulation in its service territory in the weeks of June 19, 2023, June 26, 2023, and July 3, 2023. Kentucky Power later learned that two newspapers, the *Elliot County News* and the *Licking Valley Courier* are not being published the week of July 3, 2023. The two newspapers will resume publication the week of July 10, 2023. Kentucky Power requested a deviation of 807 KAR 5:001, Section 17(2)(b)(3) and 807 KAR 5:011, Section 8(2)(b)(3) and be permitted to publish the

³ 807 KAR 5:001, Section 17(2)(b)(3).

⁴ 807 KAR 5:001, Section 22.

⁵ 807 KAR 5:011, Section 8(2)(b)(3).

⁶ 807 KAR 5:011, Section 15.

⁷ Order (Ky. PSC June 6, 2023).

customer notice in the *Elliot County News* and the *Licking Valley Courier* with an additional week between the second and third weeks of notice. The third notice would be published in those two papers the week of July 10, 2023.

Having reviewed the motion and being otherwise sufficiently advised, the Commission finds that Kentucky Power's request to publish the abbreviated customer notice in the *Elliot County News* and the *Licking Valley Courier* is reasonable and should be granted pursuant to 807 KAR 5:001, Section 22 and 807 KAR 5:011, Section 15. The two papers are not being published the week of July 3, 2023. Kentucky Power has stated the abbreviated notice will be published the following week. The one-week delay in two papers in the service territory will not harm the customers' ability to be fully informed about the upcoming application for an adjustment of rates.

The Commission once again cautions Kentucky Power that this deviation does not constitute approval of the notice, only approval of publication with an additional week between the second and third newspaper notice in the *Elliot County News* and the *Licking Valley Courier*. The Commission will review the notice to ensure it complies with all regulatory requirements at the time the application for a general rate adjustment is filed.

IT IS THEREFORE ORDERED that:

1. Kentucky Power's motion for a deviation of the notice requirements in 807 KAR 5:001, Section 17(2)(b)(3) and 807 KAR 5:011, Section 8(2)(b)(3) is granted.
2. Kentucky Power shall publish notice in the *Elliot County News* and *Licking Valley Courier* the weeks of June 19, June 26, and July 10, 2023.

3. Nothing in this Order shall constitute a waiver of the Commission's obligation to review the abbreviated newspaper notice to ensure compliance with all other regulatory requirements for filing an application for a general adjustment of rates.

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PUBLIC SERVICE COMMISSION



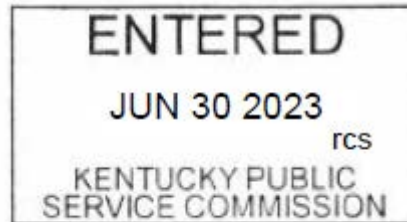
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