

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

This matter arises upon the motion of the Mountain Association (MA), Appalachian Citizens Law Center (ACLC), Kentuckians for the Commonwealth (KFTC), and the Kentucky Solar Energy Society (KYSES) (collectively, Joint Movants) filed August 4, 2023, for full intervention in this proceeding. As a basis for the joint motion, Joint Movants stated that they will present issues and develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceeding. Joint Movants further stated that existing parties to the proceeding do not adequately represent Joint Movants; respective interests. Joint Movants also stated that they will jointly offer discovery, testimony, and witnesses, and that they will speak with one voice with coordinated participation.

In support of their statement that they will present issues and develop facts to assist the Commission, Joint Movants stated the following:

- MA is a nonprofit organization that works with people in eastern Kentucky and Central Appalachia to create economic opportunity, strengthen democracy, and support the sustainable use of natural resources. MA has worked with hundreds of small commercial Kentucky Power customers over 15 years providing financing to access investments in energy efficiency and renewable energy, resulting in reduced operating expenses. According to the motion, MA is currently transforming a space into a mixed-use development, incorporating MA's offices, retail, food & beverage, and Air BnB lodging in the Main Street building in downtown Hazard.
- ACLC is a nonprofit corporation that focused on addressing the environmental, health, and economic impacts of resource extraction in Eastern Kentucky and Central Appalachia. ACLC advocates for energy and water affordability on behalf of low-income residents in the region by participating as stakeholders in national and state energy and water affordability discussions and workgroups, by conducting research on utility affordability. ACLC has participated in proceedings before the Commission as well.¹
- KFTC is a nonprofit organization that advocates for a broad range of economic and energy issues. KFTC has participated as a party and filed public comments in previous cases, focusing primarily, but not exclusively, on low-income residential ratepayers, rate design, and energy efficiency. KFTC is a current Kentucky Power customer and has 615 members that are currently Kentucky Power customers.
- KYSES is a nonprofit organization that promotes renewable energy resources, energy efficiency, and conservation, and whose members include residential customers, professionals in the renewable energy field, nongovernmental organizations, and academics.

The Commission finds that the Joint Movants should be granted rights of a party in this proceeding. The Joint Movants are likely to present issues and develop facts that will assist the Commission in fully considering the matter without unduly complicating or

¹ According to the motion, ACLC advocated on behalf of Martin County Concerned Citizen and Case No. 2009-00459, *Application of Kentucky Power Company for a General Adjustment of Electric Rates* (Ky PSC June 28, 2010), Order.

disrupting the proceedings. The Commission directs the Joint Movants to the Commission's Orders in Case No. 2020-00085² regarding filings with the Commission.

In light of Joint Movants' statement that they will speak as one party, the Commission finds that each of the Joint Movants should file a separate copy of all documents that evidence their individual agreement regarding their joint participation in this matter, whether the agreement is executed by email in a written agreement.

IT IS HEREBY ORDERED that:

1. Joint Movants' motion to intervene is granted.
2. Joint Movants are entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order.
3. Joint Movants shall comply with all provisions of the Commission's regulations, 807 KAR 5:001, Section 8, related to the service and electronic filing of documents.
4. Joint Movants shall adhere to the procedural schedule set forth in the July 20, 2023 Order and as amended by subsequent Orders.
5. Pursuant to 807 KAR 5:001, Section 8(9), within seven days of entry of this Order, Joint Movants shall file a written statement with the Commission that:
 - a. Certifies that it, or its agent, possesses the facilities to receive electronic transmissions; and

² Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC July 22, 2021), Order (in which the Commission ordered that for case filings made on and after March 16, 2020, filers are NOT required to file the original physical copies of the filings required by 807 KAR 5:001, Section 8).

b. Sets forth the electronic mail address to which all electronic notices and messages related to this proceeding should be served.

6. Each of the Joint Movants shall file a separate copy with the Commission of their individual agreement regarding their joint participation in this matter within ten days of entering into the agreement.

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PUBLIC SERVICE COMMISSION



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