

March 28, 2023

Ms. Linda C. Bridwell, P.E.
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, KY 40602

Via Electronic Tariff Filing System

Re: Electronic Tariff Filing of Big Sandy Rural Electric Cooperative Corporation

Dear Ms. Bridwell:

Enclosed, please find for filing, Big Sandy Rural Electric Cooperative Corporation's ("Big Sandy RECC") Rate EM – Earnings Mechanism – Member Tariff, a Motion for Deviation and a calculation spreadsheet. This tariff filing is made pursuant to the Joint Stipulation and Settlement Agreement filed in Case No. 2021-00103,¹ East Kentucky Power Cooperative, Inc's ("EKPC") wholesale rate proceeding. Pursuant to the Joint Stipulation and Settlement Agreement, EKPC filed for approval of its Rate EM tariff in Case No. 2021-00429.² The Commission approved EKPC's Rate EM Tariff in that proceeding, with modifications, on March 29, 2022.

As part of the Joint Stipulation and Settlement Agreement, any TIER sharing that is passed from EKPC to its owner-members, then flows through from the sixteen EKPC owner-members to their end-use members. In order for that flow through to the end-use members to occur, each of the sixteen EKPC owner-members must have a Rate EM Tariff on file with the Commission. There is currently no such tariff on file for any of the sixteen EKPC owner-members.

The attached Rate EM Tariff has been drafted to be consistent with EKPC's Rate EM Tariff which has been approved by the Commission. Once EKPC determines the

¹ Case No. 2021-00103, *In the Matter of: Electronic Application of East Kentucky Power Cooperative, Inc., for a General Adjustment of Rates, Approval of Depreciation Study, Amortization of Certain Regulatory Assets and Other General Relief* (Ky. P.S.C. Sept. 30, 2021), Joint Stipulation and Settlement Agreement (filed July 29, 2021).

² Case No. 2021-00429, *In the Matter of: Electronic Tariff Filing of East Kentucky Power Cooperative, Inc., to Establish its Earnings Mechanism Tariff* (Ky. P.S.C. Mar. 29, 2022).

amount of the TIER Sharing for each owner-member, the owner-member will then use the percentages provided by EKPC to determine the percentage of the TIER Sharing that would flow through to each of its customer classes. The owner-member would then issue a bill credit to each of its current end-use members at the time of receiving the TIER Sharing from EKPC.

No customer notice was provided to the end-use members since this is not a rate that an end-use member can subscribe. This is simply a pass-through of any credit that is received by the owner-member from EKPC to the end-use members. If EKPC does not provide a TIER Sharing amount to the owner-member then no credit will be issued to the end-use member. If the Commission disagrees and believes that customer notice should have been given to the end-use members, a Motion for Deviation is also being filed with this tariff filing.

In addition to the Rate EM Tariff and the Motion for Deviation, an Excel spreadsheet is being provided for informational purposes only. This spreadsheet shows a sample calculation to be used by the owner-members to determine the amount of credit that would be passed through to each of its end-use members.

Please do not hesitate to contact me with any questions or concerns.

Sincerely,



L. Allyson Honaker

Enclosures

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

ELECTRONIC TARIFF FILING OF BIG SANDY RURAL ELECTRIC
COOPERATIVE CORPORATION

MOTION FOR DEVIATION

Comes now Big Sandy Rural Electric Cooperative Corporation (“Big Sandy RECC”) by and through the undersigned counsel, and does hereby state as follows for its Motion for Deviation from the customer notice requirement contained in 807 KAR 5:011 Section 8 regarding notice to customers. In support of this Motion, Big Sandy RECC respectfully states as follows:

1. Big Sandy RECC filed an electronic tariff filing for a new Rate EM- Earnings Mechanism – Retail Tariff in order to pass-through any credit amounts received from East Kentucky Power Cooperative, Inc. (“EKPC”) as a result of the Joint Stipulation and Settlement Agreement and the Final Order in Case No. 2021-00103,¹ to Big Sandy RECC’s end-use members.

2. Big Sandy RECC does not believe that this tariff filing requires customer notice, since a “charge, fee, condition of service, or rule regarding the provision of service” is not being added or changed. This tariff filing is simply a way to pass-through any credit amount that Big Sandy RECC receives from EKPC as a result of the TIER Sharing Mechanism that resulted from EKPC’s wholesale rate proceeding.

¹ Case No. 2021-00103, *In the Matter of: Electronic Application of East Kentucky Power Cooperative, Inc., for a General Adjustment of Rates, Approval of Depreciation Study, Amortization of Certain Regulatory Assets and Other General Relief* (Ky. P.S.C. Sept. 30, 2021), Joint Stipulation and Settlement Agreement (filed July 29, 2021).

3. The new Rate EM tariff is based on EKPC's Rate EM tariff that was approved by the Commission in Case No. 2021-00429.²

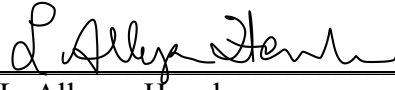
4. Although Big Sandy RECC does not believe customer notice is required for this tariff filing, if the Commission disagrees with Big Sandy RECC and believes that Big Sandy RECC should have given customer notice of this tariff filing, Big Sandy RECC requests the Commission to grant a deviation from the notice requirement contained in 807 KAR 5:011 Section 8. Providing customer notice would be a cost for Big Sandy RECC to incur for a tariff filing that is only needed in order to have a mechanism in which to pass-through any TIER Sharing credit that it may receive from EKPC. None of Bid Sandy RECC's end-use members would pay any additional amount for electric service as a result of this tariff, but would instead possibly receive a credit on the end-use member's bill if the requirements for EKPC's TIER Sharing are met.

WHEREFORE, based on the foregoing, Big Sandy RECC requests the Commission to grant it a deviation from the customer notice requirement in 807 KAR 5:011 Section 8.

Dated this 28th of March, 2023.

² Case No. 2021-00429, *In the Matter of: Electronic Tariff Filing of East Kentucky Power Cooperative, Inc., to Establish its Earnings Mechanism Tariff* (Ky. P.S.C. Mar. 29, 2022).

Respectfully submitted,



L. Allyson Honaker
HONAKER LAW OFFICE, PLLC
1795 Alysheba Way, Suite 6202
Lexington, Kentucky 40509
(859) 368-8803
allyson@hloky.com

Counsel for Big Sandy RECC

CERTIFICATE OF SERVICE

This is to certify that the foregoing electronic filing was transmitted to the Commission via the electronic tariff filing system on March 28, 2023; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; and that pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085, no paper copies of the filing will be made.



Counsel for Big Sandy RECC

FOR ALL TERRITORIES SERVED

PSC NO. 1

**BIG SANDY RURAL ELECTRIC
COOPERATIVE CORPORATION**

Original Sheet No. 30

Rate EM – Earnings Mechanism – Member Tariff

N

Applicability

In the service territory of Big Sandy Rural Electric Cooperative Corporation.

Availability

Available to retail members pursuant to Paragraph 6 of the Joint Stipulation, Settlement Agreement and Recommendation approved in East Kentucky Power Cooperative, Inc.'s ("EKPC") base rate case, Case No. 2021-00103 and EKPC's EM Tariff filing, Case No. 2021-00429.

Purpose

EKPC has committed to return any excess margins to its Owner-Member Cooperatives for contemporaneous pass-through to End-Use Retail Members ("retail members") in the form of a bill credit in the event that EKPC achieves per-book margins in excess of a target TIER in any calendar year. Any excess margins to be returned will be allocated based upon the percentage of each EKPC rate class's total revenue for the most recent calendar year. EKPC will make an annual filing with the Commission setting forth its calculations of margins and any required bill credit for the most recent calendar year on or before April 30th of the following year.

DATE OF ISSUE: March 28, 2023

DATE EFFECTIVE: April 28, 2023

ISSUED BY: 

TITLE: PRESIDENT/GENERAL MANAGER

FOR ALL TERRITORIES SERVED

PSC NO. 1

**BIG SANDY RURAL ELECTRIC
COOPERATIVE CORPORATION**

Original Sheet No. 31

Rate EM – Earnings Mechanism – Member Tariff-Continued

Methodology

N

Allocation of Excess Margins from EKPC. EKPC will determine the allocation of the excess margin for the most recent calendar year and will prepare and provide to Big Sandy Rural Electric Cooperative Corporation a schedule showing the allocation of the excess margin for the most recent calendar year by EKPC rate class.

Calculation of Bill Credit. Big Sandy Rural Electric Cooperative Corporation will calculate the bill credit applicable to its retail members in the following manner:

- a. Big Sandy Rural Electric Cooperative Corporation will determine which of its retail rate schedules correspond with the EKPC wholesale rate classes. Using the same calendar year as EKPC, Big Sandy Rural Electric Cooperative Corporation will determine the total revenues for the set of its rate schedules that correspond with each EKPC rate class.
- b. Big Sandy Rural Electric Cooperative Corporation will determine the percentage of the total revenues for each of its rate schedules that correspond with the applicable EKPC rate class.
- c. Big Sandy Rural Electric Cooperative Corporation will allocate the excess margin by EKPC rate class to its corresponding rate schedules by multiplying the allocated excess margin by EKPC rate class by the percentages determined in part b.
- d. Big Sandy Rural Electric Cooperative Corporation will calculate a “Bill Credit Percentage” for each of its retail rate schedules. The Bill Credit Percentage will be calculated by dividing the excess margin allocated to the retail rate schedule by the total revenues for that retail rate schedule used in part a. If there is only one retail member served by a Big Sandy Rural Electric Cooperative Corporation retail rate schedule, the excess margin allocated to the retail rate schedule will be the amount of the bill credit for that retail member.

DATE OF ISSUE: March 28, 2023

DATE EFFECTIVE: April 28, 2023

ISSUED BY: 

TITLE: PRESIDENT/GENERAL MANAGER

FOR ALL TERRITORIES SERVED

PSC NO. 1

**BIG SANDY RURAL ELECTRIC
COOPERATIVE CORPORATION**

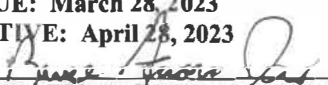
Original Sheet No. 32

Rate EM – Earnings Mechanism – Member Tariff-Continued

- e. Utilizing its customer account information, Big Sandy Rural Electric Cooperative Corporation will apply the Bill Credit Percentage for each retail rate schedule to the total revenues provided by each retail member in the calendar year used by EKPC when determining the excess margins to calculate the bill credit for each retail member.
- f. Big Sandy Rural Electric Cooperative Corporation may elect to return the bill credit as a one-time credit on the retail member's current bill or spread the bill credit over several billings. If the bill credit is spread over several billings, the payment of the bill credit will be completed by the end of the calendar year.

N



DATE OF ISSUE: March 28, 2023
DATE EFFECTIVE: April 28, 2023
ISSUED BY: 
TITLE: PRESIDENT/GENERAL MANAGER

March 28, 2023

Ms. Linda C. Bridwell, P.E.
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, KY 40602

Via Electronic Tariff Filing System

Re: Electronic Tariff Filing of Blue Grass Energy Cooperative Corporation

Dear Ms. Bridwell:

Enclosed, please find for filing, Blue Grass Energy Cooperative Corporation's ("Blue Grass Energy") Rate EM – Earnings Mechanism – Member Tariff, a Motion for Deviation and a calculation spreadsheet. This tariff filing is made pursuant to the Joint Stipulation and Settlement Agreement filed in Case No. 2021-00103,¹ East Kentucky Power Cooperative, Inc.'s ("EKPC") wholesale rate proceeding. Pursuant to the Joint Stipulation and Settlement Agreement, EKPC filed for approval of its Rate EM tariff in Case No. 2021-00429.² The Commission approved EKPC's Rate EM Tariff in that proceeding, with modifications, on March 29, 2022.

As part of the Joint Stipulation and Settlement Agreement, any TIER sharing that is passed from EKPC to its owner-members, then flows through from the sixteen EKPC owner-members to their end-use members. In order for that flow through to the end-use members to occur, each of the sixteen EKPC owner-members must have a Rate EM Tariff on file with the Commission. There is currently no such tariff on file for any of the sixteen EKPC owner-members.

The attached Rate EM Tariff has been drafted to be consistent with EKPC's Rate EM Tariff which has been approved by the Commission. Once EKPC determines the amount of the TIER Sharing for each owner-member, the owner-member will then use the

¹ Case No. 2021-00103, *In the Matter of: Electronic Application of East Kentucky Power Cooperative, Inc., for a General Adjustment of Rates, Approval of Depreciation Study, Amortization of Certain Regulatory Assets and Other General Relief* (Ky. P.S.C. Sept. 30, 2021), Joint Stipulation and Settlement Agreement (filed July 29, 2021).

² Case No. 2021-00429, *In the Matter of: Electronic Tariff Filing of East Kentucky Power Cooperative, Inc., to Establish its Earnings Mechanism Tariff* (Ky. P.S.C. Mar. 29, 2022).

percentages provided by EKPC to determine the percentage of the TIER Sharing that would flow through to each of its customer classes. The owner-member would then issue a bill credit to each of its current end-use members at the time of receiving the TIER Sharing from EKPC.

No customer notice was provided to the end-use members since this is not a rate that an end-use member can subscribe. This is simply a pass-through of any credit that is received by the owner-member from EKPC to the end-use members. If EKPC does not provide a TIER Sharing amount to the owner-member then no credit will be issued to the end-use member. If the Commission disagrees and believes that customer notice should have been given to the end-use members, a Motion for Deviation is also being filed with this tariff filing.

In addition to the Rate EM Tariff and the Motion for Deviation, an Excel spreadsheet is being provided for informational purposes only. This spreadsheet shows a sample calculation to be used by the owner-members to determine the amount of credit that would be passed through to each of its end-use members.

Please do not hesitate to contact me with any questions or concerns.

Sincerely,



L. Allyson Honaker

Enclosures

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

ELECTRONIC TARIFF FILING OF BLUE GRASS ENERGY COOPERATIVE
CORPORATION

MOTION FOR DEVIATION

Comes now Blue Grass Energy Cooperative Corporation (“Blue Grass Energy”) by and through the undersigned counsel, and does hereby state as follows for its Motion for Deviation from the customer notice requirement contained in 807 KAR 5:011 Section 8 regarding notice to customers. In support of this Motion, Blue Grass Energy respectfully states as follows:

1. Blue Grass Energy filed an electronic tariff filing for a new Rate EM- Earnings Mechanism – Retail Tariff in order to pass-through any credit amounts received from East Kentucky Power Cooperative, Inc. (“EKPC”) as a result of the Joint Stipulation and Settlement Agreement and the Final Order in Case No. 2021-00103,¹ to Blue Grass Energy’s end-use members.

2. Blue Grass Energy does not believe that this tariff filing requires customer notice, since a “charge, fee, condition of service, or rule regarding the provision of service” is not being added or changed. This tariff filing is simply a way to pass-through any credit amount that Blue Grass Energy receives from EKPC as a result of the TIER Sharing Mechanism that resulted from EKPC’s wholesale rate proceeding.

¹ Case No. 2021-00103, *In the Matter of: Electronic Application of East Kentucky Power Cooperative, Inc., for a General Adjustment of Rates, Approval of Depreciation Study, Amortization of Certain Regulatory Assets and Other General Relief* (Ky. P.S.C. Sept. 30, 2021), Joint Stipulation and Settlement Agreement (filed July 29, 2021).

3. The new Rate EM tariff is based on EKPC's Rate EM tariff that was approved by the Commission in Case No. 2021-00429.²

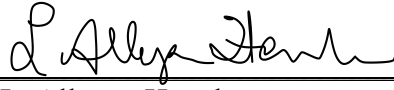
4. Although Blue Grass Energy does not believe customer notice is required for this tariff filing, if the Commission disagrees with Blue Grass Energy and believes that Blue Grass Energy should have given customer notice of this tariff filing, Blue Grass Energy requests the Commission to grant a deviation from the notice requirement contained in 807 KAR 5:011 Section 8. Providing customer notice would be a cost for Blue Grass Energy to incur for a tariff filing that is only needed in order to have a mechanism in which to pass-through any TIER Sharing credit that it may receive from EKPC. None of Blue Grass Energy's end-use members would pay any additional amount for electric service as a result of this tariff, but would instead possibly receive a credit on the end-use member's bill if the requirements for EKPC's TIER Sharing are met.

WHEREFORE, based on the foregoing, Blue Grass Energy requests the Commission to grant it a deviation from the customer notice requirement in 807 KAR 5:011 Section 8.

Dated this 28th of March, 2023.

² Case No. 2021-00429, *In the Matter of: Electronic Tariff Filing of East Kentucky Power Cooperative, Inc., to Establish its Earnings Mechanism Tariff* (Ky. P.S.C. Mar. 29, 2022).

Respectfully submitted,



L. Allyson Honaker
HONAKER LAW OFFICE, PLLC
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(859) 368-8803
allyson@hloky.com

Counsel for Blue Grass Energy Cooperative Corporation

CERTIFICATE OF SERVICE

This is to certify that the foregoing electronic filing was transmitted to the Commission via the electronic tariff filing system on March 28, 2023; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; and that pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085, no paper copies of the filing will be made.



Counsel for Blue Grass Energy Cooperative Corporation

BLUE GRASS ENERGY COOPERATIVE CORPORATION

Rate EM – Earnings Mechanism – Member Tariff

N

Applicability

In the service territory of Blue Grass Energy Cooperative Corporation.

Availability

Available to retail members pursuant to Paragraph 6 of the Joint Stipulation, Settlement Agreement and Recommendation approved in East Kentucky Power Cooperative, Inc.’s (“EKPC”) base rate case, Case No. 2021-00103 and EKPC’s EM Tariff filing, Case No. 2021-00429.

Purpose

EKPC has committed to return any excess margins to its Owner-Member Cooperatives for contemporaneous pass-through to End-Use Retail Members (“retail members”) in the form of a bill credit in the event that EKPC achieves per-book margins in excess of a target TIER in any calendar year. Any excess margins to be returned will be allocated based upon the percentage of each EKPC rate class’s total revenue for the most recent calendar year. EKPC will make an annual filing with the Commission setting forth its calculations of margins and any required bill credit for the most recent calendar year on or before April 30th of the following year.

Methodology

Allocation of Excess Margins from EKPC. EKPC will determine the allocation of the excess margin for the most recent calendar year and will prepare and provide to Blue Grass Energy Cooperative Corporation a schedule showing the allocation of the excess margin for the most recent calendar year by EKPC rate class.

Calculation of Bill Credit. Blue Grass Energy Cooperative Corporation will calculate the bill credit applicable to its retail members in the following manner:

- a. Blue Grass Energy Cooperative Corporation will determine which of its retail rate schedules correspond with the EKPC wholesale rate classes. Using the same calendar year as EKPC, Blue Grass Energy Cooperative Corporation will determine the total revenues for the set of its rate schedules that correspond with each EKPC rate class.
- b. Blue Grass Energy Cooperative Corporation will determine the percentage of the total revenues for each of its rate schedules that correspond with the applicable EKPC rate class.

DATE OF ISSUE: March 28, 2023

DATE EFFECTIVE: April 28, 2023

ISSUED BY:



TITLE: President & CEO

BLUE GRASS ENERGY COOPERATIVE CORPORATION

N

- c. Blue Grass Energy Cooperative Corporation will allocate the excess margin by EKPC rate class to its corresponding rate schedules by multiplying the allocated excess margin by EKPC rate class by the percentages determined in part b.
- d. Blue Grass Energy Cooperative Corporation will calculate a “Bill Credit Percentage” for each of its retail rate schedules. The Bill Credit Percentage will be calculated by dividing the excess margin allocated to the retail rate schedule by the total revenues for that retail rate schedule used in part a. If there is only one retail member served by a Blue Grass Energy Cooperative Corporation retail rate schedule, the excess margin allocated to the retail rate schedule will be the amount of the bill credit for that retail member.
- e. Utilizing its customer account information, Blue Grass Energy Cooperative Corporation will apply the Bill Credit Percentage for each retail rate schedule to the total revenues provided by each retail member in the calendar year used by EKPC when determining the excess margins to calculate the bill credit for each retail member.
- f. Blue Grass Energy Cooperative Corporation may elect to return the bill credit as a one-time credit on the retail member’s current bill or spread the bill credit over several billings. If the bill credit is spread over several billings, the payment of the bill credit will be completed by the end of the calendar year.



DATE OF ISSUE: March 28, 2023

DATE EFFECTIVE: April 28, 2023

ISSUED BY: 

TITLE: President & CEO

March 28, 2023

Ms. Linda C. Bridwell, P.E.
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, KY 40602

Via Electronic Tariff Filing System

Re: Electronic Tariff Filing of Clark Energy Cooperative, Inc.

Dear Ms. Bridwell:

Enclosed, please find for filing, Clark Energy Cooperative, Inc.'s ("Clark Energy") Rate EM – Earnings Mechanism – Member Tariff, a Motion for Deviation and a calculation spreadsheet. This tariff filing is made pursuant to the Joint Stipulation and Settlement Agreement filed in Case No. 2021-00103,¹ East Kentucky Power Cooperative, Inc.'s ("EKPC") wholesale rate proceeding. Pursuant to the Joint Stipulation and Settlement Agreement, EKPC filed for approval of its Rate EM tariff in Case No. 2021-00429.² The Commission approved EKPC's Rate EM Tariff in that proceeding, with modifications, on March 29, 2022.

As part of the Joint Stipulation and Settlement Agreement, any TIER sharing that is passed from EKPC to its owner-members, then flows through from the sixteen EKPC owner-members to their end-use members. In order for that flow through to the end-use members to occur, each of the sixteen EKPC owner-members must have a Rate EM Tariff on file with the Commission. There is currently no such tariff on file for any of the sixteen EKPC owner-members.

The attached Rate EM Tariff has been drafted to be consistent with EKPC's Rate EM Tariff which has been approved by the Commission. Once EKPC determines the amount of the TIER Sharing for each owner-member, the owner-member will then use the

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percentages provided by EKPC to determine the percentage of the TIER Sharing that would flow through to each of its customer classes. The owner-member would then issue a bill credit to each of its current end-use members at the time of receiving the TIER Sharing from EKPC.

No customer notice was provided to the end-use members since this is not a rate that an end-use member can subscribe. This is simply a pass-through of any credit that is received by the owner-member from EKPC to the end-use members. If EKPC does not provide a TIER Sharing amount to the owner-member then no credit will be issued to the end-use member. If the Commission disagrees and believes that customer notice should have been given to the end-use members, a Motion for Deviation is also being filed with this tariff filing.

In addition to the Rate EM Tariff and the Motion for Deviation, an Excel spreadsheet is being provided for informational purposes only. This spreadsheet shows a sample calculation to be used by the owner-members to determine the amount of credit that would be passed through to each of its end-use members.

Please do not hesitate to contact me with any questions or concerns.

Sincerely,



L. Allyson Honaker

Enclosures

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

ELECTRONIC TARIFF FILING OF CLARK ENERGY COOPERATIVE, INC.

MOTION FOR DEVIATION

Comes now Clark Energy Cooperative, Inc. (“Clark Energy”) by and through the undersigned counsel, and does hereby state as follows for its Motion for Deviation from the customer notice requirement contained in 807 KAR 5:011 Section 8 regarding notice to customers.

In support of this Motion, Clark Energy respectfully states as follows:

1. Clark Energy filed an electronic tariff filing for a new Rate EM- Earnings Mechanism – Retail Tariff in order to pass-through any credit amounts received from East Kentucky Power Cooperative, Inc. (“EKPC”) as a result of the Joint Stipulation and Settlement Agreement and the Final Order in Case No. 2021-00103,¹ to Clark Energy’s end-use members.

2. Clark Energy does not believe that this tariff filing requires customer notice, since a “charge, fee, condition of service, or rule regarding the provision of service” is not being added or changed. This tariff filing is simply a way to pass-through any credit amount that Clark Energy receives from EKPC as a result of the TIER Sharing Mechanism that resulted from EKPC’s wholesale rate proceeding.

¹ Case No. 2021-00103, *In the Matter of: Electronic Application of East Kentucky Power Cooperative, Inc., for a General Adjustment of Rates, Approval of Depreciation Study, Amortization of Certain Regulatory Assets and Other General Relief* (Ky. P.S.C. Sept. 30, 2021), Joint Stipulation and Settlement Agreement (filed July 29, 2021).

3. The new Rate EM tariff is based on EKPC's Rate EM tariff that was approved by the Commission in Case No. 2021-00429.²

4. Although Clark Energy does not believe customer notice is required for this tariff filing, if the Commission disagrees with Clark Energy and believes that Clark Energy should have given customer notice of this tariff filing, Clark Energy requests the Commission to grant a deviation from the notice requirement contained in 807 KAR 5:011 Section 8. Providing customer notice would be a cost for Clark Energy to incur for a tariff filing that is only needed in order to have a mechanism in which to pass-through any TIER Sharing credit that it may receive from EKPC. None of Clark Energy's end-use members would pay any additional amount for electric service as a result of this tariff, but would instead possibly receive a credit on the end-use member's bill if the requirements for EKPC's TIER Sharing are met.

WHEREFORE, based on the foregoing, Clark Energy requests the Commission to grant it a deviation from the customer notice requirement in 807 KAR 5:011 Section 8.

Dated this 28th of March, 2023.

² Case No. 2021-00429, *In the Matter of: Electronic Tariff Filing of East Kentucky Power Cooperative, Inc., to Establish its Earnings Mechanism Tariff* (Ky. P.S.C. Mar. 29, 2022).

Respectfully submitted,



L. Allyson Honaker
HONAKER LAW OFFICE, PLLC
1795 Alysheba Way, Suite 6202
Lexington, Kentucky 40509
(859) 368-8803
allyson@hloky.com

Counsel for Clark Energy Cooperative, Inc.

CERTIFICATE OF SERVICE

This is to certify that the foregoing electronic filing was transmitted to the Commission via the electronic tariff filing system on March 28, 2023; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; and that pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085, no paper copies of the filing will be made.



Counsel for Clark Energy Cooperative, Inc.

Clark Energy Cooperative, Inc.

Rate EM – Earnings Mechanism – Member Tariff

N

Applicability

In the service territory of Clark Energy Cooperative, Inc. (“Clark Energy”).

Availability

Available to retail members pursuant to Paragraph 6 of the Joint Stipulation, Settlement Agreement and Recommendation approved in East Kentucky Power Cooperative, Inc.’s (“EKPC”) base rate case, Case No. 2021-00103 and EKPC’s EM Tariff filing, Case No. 2021-00429.

Purpose

EKPC has committed to return any excess margins to its Owner-Member Cooperatives for contemporaneous pass-through to End-Use Retail Members (“retail members”) in the form of a bill credit in the event that EKPC achieves per-book margins in excess of a target TIER in any calendar year. Any excess margins to be returned will be allocated based upon the percentage of each EKPC rate class’s total revenue for the most recent calendar year. EKPC will make an annual filing with the Commission setting forth its calculations of margins and any required bill credit for the most recent calendar year on or before April 30th of the following year.

Methodology

Allocation of Excess Margins from EKPC. EKPC will determine the allocation of the excess margin for the most recent calendar year and will prepare and provide to Clark Energy a schedule showing the allocation of the excess margin for the most recent calendar year by EKPC rate class.

Calculation of Bill Credit. Clark Energy will calculate the bill credit applicable to its retail members in the following manner:

- a. Clark Energy will determine which of its retail rate schedules correspond with the EKPC wholesale rate classes. Using the same calendar year as EKPC, Clark Energy will determine the total revenues for the set of its rate schedules that correspond with each EKPC rate class.
- b. Clark Energy will determine the percentage of the total revenues for each of its rate schedules that correspond with the applicable EKPC rate class.

DATE OF ISSUE March 28, 2023
MONTH / DATE / YEAR

DATE EFFECTIVE April 28, 2023
MONTH / DATE / YEAR

ISSUED BY Robert E. Brown
SIGNATURE OF OFFICER

TITLE President & CEO

Clark Energy Cooperative, Inc.

Rate EM – Earnings Mechanism – Member Tariff (cont.)

- c. Clark Energy will allocate the excess margin by EKPC rate class to its corresponding rate schedules by multiplying the allocated excess margin by EKPC rate class by the percentages determined in part b.
- d. Clark Energy will calculate a “Bill Credit Percentage” for each of its retail rate schedules. The Bill Credit Percentage will be calculated by dividing the excess margin allocated to the retail rate schedule by the total revenues for that retail rate schedule used in part a. If there is only one retail member served by a Clark Energy retail rate schedule, the excess margin allocated to the retail rate schedule will be the amount of the bill credit for that retail member.
- e. Utilizing its customer account information, Clark Energy will apply the Bill Credit Percentage for each retail rate schedule to the total revenues provided by each retail member in the calendar year used by EKPC when determining the excess margins to calculate the bill credit for each retail member.
- f. Clark Energy may elect to return the bill credit as a one-time credit on the retail member’s current bill or spread the bill credit over several billings. If the bill credit is spread over several billings, the payment of the bill credit will be completed by the end of the calendar year.

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MONTH / DATE / YEAR

ISSUED BY Robert C. Greer
SIGNATURE OF OFFICER

TITLE President & CEO

March 28, 2023

Ms. Linda C. Bridwell, P.E.
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, KY 40602

Via Electronic Tariff Filing System

Re: Electronic Tariff Filing of Cumberland Valley Electric, Inc.

Dear Ms. Bridwell:

Enclosed, please find for filing, Cumberland Valley Electric, Inc.'s ("CVE") Rate EM – Earnings Mechanism – Member Tariff, a Motion for Deviation and a calculation spreadsheet. This tariff filing is made pursuant to the Joint Stipulation and Settlement Agreement filed in Case No. 2021-00103,¹ East Kentucky Power Cooperative, Inc.'s ("EKPC") wholesale rate proceeding. Pursuant to the Joint Stipulation and Settlement Agreement, EKPC filed for approval of its Rate EM tariff in Case No. 2021-00429.² The Commission approved EKPC's Rate EM Tariff in that proceeding, with modifications, on March 29, 2022.

As part of the Joint Stipulation and Settlement Agreement, any TIER sharing that is passed from EKPC to its owner-members, then flows through from the sixteen EKPC owner-members to their end-use members. In order for that flow through to the end-use members to occur, each of the sixteen EKPC owner-members must have a Rate EM Tariff on file with the Commission. There is currently no such tariff on file for any of the sixteen EKPC owner-members.

The attached Rate EM Tariff has been drafted to be consistent with EKPC's Rate EM Tariff which has been approved by the Commission. Once EKPC determines the amount of the TIER Sharing for each owner-member, the owner-member will then use the

¹ Case No. 2021-00103, *In the Matter of: Electronic Application of East Kentucky Power Cooperative, Inc., for a General Adjustment of Rates, Approval of Depreciation Study, Amortization of Certain Regulatory Assets and Other General Relief* (Ky. P.S.C. Sept. 30, 2021), Joint Stipulation and Settlement Agreement (filed July 29, 2021).

² Case No. 2021-00429, *In the Matter of: Electronic Tariff Filing of East Kentucky Power Cooperative, Inc., to Establish its Earnings Mechanism Tariff* (Ky. P.S.C. Mar. 29, 2022).

percentages provided by EKPC to determine the percentage of the TIER Sharing that would flow through to each of its customer classes. The owner-member would then issue a bill credit to each of its current end-use members at the time of receiving the TIER Sharing from EKPC.

No customer notice was provided to the end-use members since this is not a rate that an end-use member can subscribe. This is simply a pass-through of any credit that is received by the owner-member from EKPC to the end-use members. If EKPC does not provide a TIER Sharing amount to the owner-member then no credit will be issued to the end-use member. If the Commission disagrees and believes that customer notice should have been given to the end-use members, a Motion for Deviation is also being filed with this tariff filing.

In addition to the Rate EM Tariff and the Motion for Deviation, an Excel spreadsheet is being provided for informational purposes only. This spreadsheet shows a sample calculation to be used by the owner-members to determine the amount of credit that would be passed through to each of its end-use members.

Please do not hesitate to contact me with any questions or concerns.

Sincerely,



L. Allyson Honaker

Enclosures

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

ELECTRONIC TARIFF FILING OF CUMBERLAND VALLEY ELECTRIC, INC.

MOTION FOR DEVIATION

Comes now Cumberland Valley Electric, Inc. (“CVE”) by and through the undersigned counsel, and does hereby state as follows for its Motion for Deviation from the customer notice requirement contained in 807 KAR 5:011 Section 8 regarding notice to customers. In support of this Motion, CVE respectfully states as follows:

1. CVE filed an electronic tariff filing for a new Rate EM- Earnings Mechanism – Retail Tariff in order to pass-through any credit amounts received from East Kentucky Power Cooperative, Inc. (“EKPC”) as a result of the Joint Stipulation and Settlement Agreement and the Final Order in Case No. 2021-00103,¹ to CVE’s end-use members.

2. CVE does not believe that this tariff filing requires customer notice, since a “charge, fee, condition of service, or rule regarding the provision of service” is not being added or changed. This tariff filing is simply a way to pass-through any credit amount that CVE receives from EKPC as a result of the TIER Sharing Mechanism that resulted from EKPC’s wholesale rate proceeding.

3. The new Rate EM tariff is based on EKPC’s Rate EM tariff that was approved by the Commission in Case No. 2021-00429.²

¹ Case No. 2021-00103, *In the Matter of: Electronic Application of East Kentucky Power Cooperative, Inc., for a General Adjustment of Rates, Approval of Depreciation Study, Amortization of Certain Regulatory Assets and Other General Relief* (Ky. P.S.C. Sept. 30, 2021), Joint Stipulation and Settlement Agreement (filed July 29, 2021).

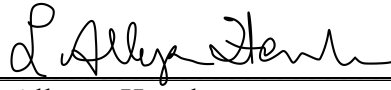
² Case No. 2021-00429, *In the Matter of: Electronic Tariff Filing of East Kentucky Power Cooperative, Inc., to Establish its Earnings Mechanism Tariff* (Ky. P.S.C. Mar. 29, 2022).

4. Although CVE does not believe customer notice is required for this tariff filing, if the Commission disagrees with CVE and believes that CVE should have given customer notice of this tariff filing, CVE requests the Commission to grant a deviation from the notice requirement contained in 807 KAR 5:011 Section 8. Providing customer notice would be a cost for CVE to incur for a tariff filing that is only needed in order to have a mechanism in which to pass-through any TIER Sharing credit that it may receive from EKPC. None of CVE's end-use members would pay any additional amount for electric service as a result of this tariff, but would instead possibly receive a credit on the end-use member's bill if the requirements for EKPC's TIER Sharing are met.

WHEREFORE, based on the foregoing, CVE requests the Commission to grant it a deviation from the customer notice requirement in 807 KAR 5:011 Section 8.

Dated this 28th of March, 2023.

Respectfully submitted,



L. Allyson Honaker
HONAKER LAW OFFICE, PLLC
1795 Alysheba Way, Suite 6202
Lexington, Kentucky 40509
(859) 368-8803
allyson@hloky.com

Counsel for Cumberland Valley Electric, Inc.

CERTIFICATE OF SERVICE

This is to certify that the foregoing electronic filing was transmitted to the Commission via the electronic tariff filing system on March 28, 2023; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; and that pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085, no paper copies of the filing will be made.



Counsel for Cumberland Valley Electric, Inc.

Rate EM – Earnings Mechanism – Member Tariff

N

Applicability

In the service territory of Cumberland Valley Electric, Inc. ("Cumberland Valley Electric").

Availability

Available to retail members pursuant to Paragraph 6 of the Joint Stipulation, Settlement Agreement and Recommendation approved in East Kentucky Power Cooperative, Inc.'s ("EKPC") base rate case, Case No. 2021-00103 and EKPC's EM Tariff filing, Case No. 2021-00429.

Purpose

EKPC has committed to return any excess margins to its Owner-Member Cooperatives for contemporaneous pass-through to End-Use Retail Members ("retail members") in the form of a bill credit in the event that EKPC achieves per-book margins in excess of a target TIER in any calendar year. Any excess margins to be returned will be allocated based upon the percentage of each EKPC rate class's total revenue for the most recent calendar year. EKPC will make an annual filing with the Commission setting forth its calculations of margins and any required bill credit for the most recent calendar year on or before April 30th of the following year.

Methodology

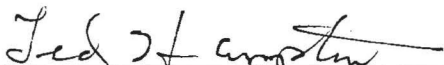
Allocation of Excess Margins from EKPC. EKPC will determine the allocation of the excess margin for the most recent calendar year and will prepare and provide to Cumberland Valley Electric a schedule showing the allocation of the excess margin for the most recent calendar year by EKPC rate class.

Calculation of Bill Credit. Cumberland Valley Electric will calculate the bill credit applicable to its retail members in the following manner:

- a. Cumberland Valley Electric will determine which of its retail rate schedules correspond with the EKPC wholesale rate classes. Using the same calendar year as EKPC, Cumberland Valley Electric will determine the total revenues for the set of its rate schedules that correspond with each EKPC rate class.
- b. Cumberland Valley Electric will determine the percentage of the total revenues for each of its rate schedules that correspond with the applicable EKPC rate class.
- c. Cumberland Valley Electric will allocate the excess margin by EKPC rate class to its corresponding rate schedules by multiplying the allocated excess margin by EKPC rate class by the percentages determined in part b.
- d. Cumberland Valley Electric will calculate a "Bill Credit Percentage" for each of its retail rate schedules. The Bill Credit Percentage will be calculated by dividing the excess margin allocated to the retail rate schedule

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DATE EFFECTIVE April 28, 2023

ISSUED BY 
President & Chief Executive Officer

by the total revenues for that retail rate schedule used in part a. If there is only one retail member served by a Cumberland Valley Electric retail rate schedule, the excess margin allocated to the retail rate schedule will be the amount of the bill credit for that retail member.

- e. Utilizing its customer account information, Cumberland Valley Electric will apply the Bill Credit Percentage for each retail rate schedule to the total revenues provided by each retail member in the calendar year used by EKPC when determining the excess margins to calculate the bill credit for each retail member.
- f. Cumberland Valley Electric may elect to return the bill credit as a one-time credit on the retail member's current bill or spread the bill credit over several billings. If the bill credit is spread over several billings, the payment of the bill credit will be completed by the end of the calendar year.



DATE OF ISSUE March 28, 2023

DATE EFFECTIVE April 28, 2023

ISSUED BY *Ted Hampton*
President & Chief Executive Officer

March 28, 2023

Ms. Linda C. Bridwell, P.E.
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, KY 40602

Via Electronic Tariff Filing System

Re: Electronic Tariff Filing of Farmers Rural Electric Cooperative Corporation

Dear Ms. Bridwell:

Enclosed, please find for filing, Farmers Rural Electric Cooperative Corporation's ("Farmers RECC") Rate EM – Earnings Mechanism – Member Tariff, a Motion for Deviation and a calculation spreadsheet. This tariff filing is made pursuant to the Joint Stipulation and Settlement Agreement filed in Case No. 2021-00103,¹ East Kentucky Power Cooperative, Inc's ("EKPC") wholesale rate proceeding. Pursuant to the Joint Stipulation and Settlement Agreement, EKPC filed for approval of its Rate EM tariff in Case No. 2021-00429.² The Commission approved EKPC's Rate EM Tariff in that proceeding, with modifications, on March 29, 2022.

As part of the Joint Stipulation and Settlement Agreement, any TIER sharing that is passed from EKPC to its owner-members, then flows through from the sixteen EKPC owner-members to their end-use members. In order for that flow through to the end-use members to occur, each of the sixteen EKPC owner-members must have a Rate EM Tariff on file with the Commission. There is currently no such tariff on file for any of the sixteen EKPC owner-members.

The attached Rate EM Tariff has been drafted to be consistent with EKPC's Rate EM Tariff which has been approved by the Commission. Once EKPC determines the amount of the TIER Sharing for each owner-member, the owner-member will then use the

¹ Case No. 2021-00103, *In the Matter of: Electronic Application of East Kentucky Power Cooperative, Inc., for a General Adjustment of Rates, Approval of Depreciation Study, Amortization of Certain Regulatory Assets and Other General Relief* (Ky. P.S.C. Sept. 30, 2021), Joint Stipulation and Settlement Agreement (filed July 29, 2021).

² Case No. 2021-00429, *In the Matter of: Electronic Tariff Filing of East Kentucky Power Cooperative, Inc., to Establish its Earnings Mechanism Tariff* (Ky. P.S.C. Mar. 29, 2022).

percentages provided by EKPC to determine the percentage of the TIER Sharing that would flow through to each of its customer classes. The owner-member would then issue a bill credit to each of its current end-use members at the time of receiving the TIER Sharing from EKPC.

No customer notice was provided to the end-use members since this is not a rate that an end-use member can subscribe. This is simply a pass-through of any credit that is received by the owner-member from EKPC to the end-use members. If EKPC does not provide a TIER Sharing amount to the owner-member then no credit will be issued to the end-use member. If the Commission disagrees and believes that customer notice should have been given to the end-use members, a Motion for Deviation is also being filed with this tariff filing.

In addition to the Rate EM Tariff and the Motion for Deviation, an Excel spreadsheet is being provided for informational purposes only. This spreadsheet shows a sample calculation to be used by the owner-members to determine the amount of credit that would be passed through to each of its end-use members.

Please do not hesitate to contact me with any questions or concerns.

Sincerely,



L. Allyson Honaker

Enclosures

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

ELECTRONIC TARIFF FILING OF FARMERS RURAL ELECTRIC
COOPERATIVE CORPORATION

MOTION FOR DEVIATION

Comes now Farmers Rural Electric Cooperative Corporation (“Farmers RECC”) by and through the undersigned counsel, and does hereby state as follows for its Motion for Deviation from the customer notice requirement contained in 807 KAR 5:011 Section 8 regarding notice to customers. In support of this Motion, Farmers RECC respectfully states as follows:

1. Farmers RECC filed an electronic tariff filing for a new Rate EM- Earnings Mechanism – Retail Tariff in order to pass-through any credit amounts received from East Kentucky Power Cooperative, Inc. (“EKPC”) as a result of the Joint Stipulation and Settlement Agreement and the Final Order in Case No. 2021-00103,¹ to Farmers RECC’s end-use members.

2. Farmers RECC does not believe that this tariff filing requires customer notice, since a “charge, fee, condition of service, or rule regarding the provision of service” is not being added or changed. This tariff filing is simply a way to pass-through any credit amount that Farmers RECC receives from EKPC as a result of the TIER Sharing Mechanism that resulted from EKPC’s wholesale rate proceeding.

¹ Case No. 2021-00103, *In the Matter of: Electronic Application of East Kentucky Power Cooperative, Inc., for a General Adjustment of Rates, Approval of Depreciation Study, Amortization of Certain Regulatory Assets and Other General Relief* (Ky. P.S.C. Sept. 30, 2021), Joint Stipulation and Settlement Agreement (filed July 29, 2021).

3. The new Rate EM tariff is based on EKPC's Rate EM tariff that was approved by the Commission in Case No. 2021-00429.²

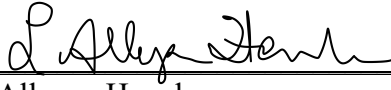
4. Although Farmers RECC does not believe customer notice is required for this tariff filing, if the Commission disagrees with Farmers RECC and believes that Farmers RECC should have given customer notice of this tariff filing, Farmers RECC requests the Commission to grant a deviation from the notice requirement contained in 807 KAR 5:011 Section 8. Providing customer notice would be a cost for Farmers RECC to incur for a tariff filing that is only needed in order to have a mechanism in which to pass-through any TIER Sharing credit that it may receive from EKPC. None of Farmers RECC's end-use members would pay any additional amount for electric service as a result of this tariff, but would instead possibly receive a credit on the end-use member's bill if the requirements for EKPC's TIER Sharing are met.

WHEREFORE, based on the foregoing, Farmers RECC requests the Commission to grant it a deviation from the customer notice requirement in 807 KAR 5:011 Section 8.

Dated this 28th of March, 2023.

² Case No. 2021-00429, *In the Matter of: Electronic Tariff Filing of East Kentucky Power Cooperative, Inc., to Establish its Earnings Mechanism Tariff* (Ky. P.S.C. Mar. 29, 2022).

Respectfully submitted,

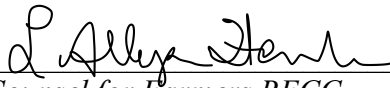


L. Allyson Honaker
HONAKER LAW OFFICE, PLLC
1795 Alysheba Way, Suite 6202
Lexington, Kentucky 40509
(859) 368-8803
allyson@hloky.com

Counsel for Farmers RECC

CERTIFICATE OF SERVICE

This is to certify that the foregoing electronic filing was transmitted to the Commission via the electronic tariff filing system on March 28, 2023; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; and that pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085, no paper copies of the filing will be made.



Counsel for Farmers RECC

FOR ALL TERRITORY SERVED

Community, Town or City

P.S.C. KY. NO. 10

Original SHEET NO. 122

CANCELLING P.S.C. KY. NO. _____

SHEET NO. _____

**FARMERS RURAL ELECTRIC
COOPERATIVE CORPORATION**

Rate EM – Earnings Mechanism – Member Tariff

N

Applicability

In the service territory of Farmers Rural Electric Cooperative Corporation (“Farmers RECC”).

Availability

Available to retail members pursuant to Paragraph 6 of the Joint Stipulation, Settlement Agreement and Recommendation approved in East Kentucky Power Cooperative, Inc.’s (“EKPC”) base rate case, Case No. 2021-00103 and EKPC’s EM Tariff filing, Case No. 2021-00429.

Purpose

EKPC has committed to return any excess margins to its Owner-Member Cooperatives for contemporaneous pass-through to End-Use Retail Members (“retail members”) in the form of a bill credit in the event that EKPC achieves per-book margins in excess of a target TIER in any calendar year. Any excess margins to be returned will be allocated based upon the percentage of each EKPC rate class’s total revenue for the most recent calendar year. EKPC will make an annual filing with the Commission setting forth its calculations of margins and any required bill credit for the most recent calendar year on or before April 30th of the following year.

Methodology

Allocation of Excess Margins from EKPC. EKPC will determine the allocation of the excess margin for the most recent calendar year and will prepare and provide to Farmers RECC a schedule showing the allocation of the excess margin for the most recent calendar year by EKPC rate class.

Calculation of Bill Credit. Farmers RECC will calculate the bill credit applicable to its retail members in the following manner:

- a. Farmers RECC will determine which of its retail rate schedules correspond with the EKPC wholesale rate classes. Using the same calendar year as EKPC, Farmers RECC will determine the total revenues for the set of its rate schedules that correspond with each EKPC rate class.

DATE OF ISSUE March 28, 2023
MONTH / DATE / YEAR

DATE EFFECTIVE April 28, 2023
MONTH / DATE / YEAR

ISSUED BY 
SIGNATURE OF OFFICER

TITLE President & CEO



FOR ALL TERRITORY SERVED

Community, Town or City

P.S.C. KY. NO. 10

Original SHEET NO. 123

CANCELLING P.S.C. KY. NO. _____

SHEET NO. _____

**FARMERS RURAL ELECTRIC
COOPERATIVE CORPORATION**

Rate EM – Earnings Mechanism – Member Tariff (*continued*)

- b. Farmers RECC will determine the percentage of the total revenues for each of its rate schedules that correspond with the applicable EKPC rate class.
- c. Farmers RECC will allocate the excess margin by EKPC rate class to its corresponding rate schedules by multiplying the allocated excess margin by EKPC rate class by the percentages determined in part b.
- d. Farmers RECC will calculate a “Bill Credit Percentage” for each of its retail rate schedules. The Bill Credit Percentage will be calculated by dividing the excess margin allocated to the retail rate schedule by the total revenues for that retail rate schedule used in part a. If there is only one retail member served by a Farmers RECC retail rate schedule, the excess margin allocated to the retail rate schedule will be the amount of the bill credit for that retail member.
- e. Utilizing its customer account information, Farmers RECC will apply the Bill Credit Percentage for each retail rate schedule to the total revenues provided by each retail member in the calendar year used by EKPC when determining the excess margins to calculate the bill credit for each retail member.
- f. Farmers RECC may elect to return the bill credit as a one-time credit on the retail member’s current bill or spread the bill credit over several billings. If the bill credit is spread over several billings, the payment of the bill credit will be completed by the end of the calendar year.

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DATE OF ISSUE March 28, 2023
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DATE EFFECTIVE April 28, 2023
MONTH / DATE / YEAR

ISSUED BY 
SIGNATURE OF OFFICER

TITLE President & CEO

March 28, 2023

Ms. Linda C. Bridwell, P.E.
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, KY 40602

Via Electronic Tariff Filing System

Re: Electronic Tariff Filing of Fleming-Mason Energy Cooperative, Inc.

Dear Ms. Bridwell:

Enclosed, please find for filing, Fleming-Mason Energy Cooperative, Inc.'s ("Fleming-Mason") Rate EM – Earnings Mechanism – Member Tariff, a Motion for Deviation and a calculation spreadsheet. This tariff filing is made pursuant to the Joint Stipulation and Settlement Agreement filed in Case No. 2021-00103,¹ East Kentucky Power Cooperative, Inc.'s ("EKPC") wholesale rate proceeding. Pursuant to the Joint Stipulation and Settlement Agreement, EKPC filed for approval of its Rate EM tariff in Case No. 2021-00429.² The Commission approved EKPC's Rate EM Tariff in that proceeding, with modifications, on March 29, 2022.

As part of the Joint Stipulation and Settlement Agreement, any TIER sharing that is passed from EKPC to its owner-members, then flows through from the sixteen EKPC owner-members to their end-use members. In order for that flow through to the end-use members to occur, each of the sixteen EKPC owner-members must have a Rate EM Tariff on file with the Commission. There is currently no such tariff on file for any of the sixteen EKPC owner-members.

The attached Rate EM Tariff has been drafted to be consistent with EKPC's Rate EM Tariff which has been approved by the Commission. Once EKPC determines the amount of the TIER Sharing for each owner-member, the owner-member will then use the

¹ Case No. 2021-00103, *In the Matter of: Electronic Application of East Kentucky Power Cooperative, Inc., for a General Adjustment of Rates, Approval of Depreciation Study, Amortization of Certain Regulatory Assets and Other General Relief* (Ky. P.S.C. Sept. 30, 2021), Joint Stipulation and Settlement Agreement (filed July 29, 2021).

² Case No. 2021-00429, *In the Matter of: Electronic Tariff Filing of East Kentucky Power Cooperative, Inc., to Establish its Earnings Mechanism Tariff* (Ky. P.S.C. Mar. 29, 2022).

percentages provided by EKPC to determine the percentage of the TIER Sharing that would flow through to each of its customer classes. The owner-member would then issue a bill credit to each of its current end-use members at the time of receiving the TIER Sharing from EKPC.

No customer notice was provided to the end-use members since this is not a rate that an end-use member can subscribe. This is simply a pass-through of any credit that is received by the owner-member from EKPC to the end-use members. If EKPC does not provide a TIER Sharing amount to the owner-member then no credit will be issued to the end-use member. If the Commission disagrees and believes that customer notice should have been given to the end-use members, a Motion for Deviation is also being filed with this tariff filing.

In addition to the Rate EM Tariff and the Motion for Deviation, an Excel spreadsheet is being provided for informational purposes only. This spreadsheet shows a sample calculation to be used by the owner-members to determine the amount of credit that would be passed through to each of its end-use members.

Please do not hesitate to contact me with any questions or concerns.

Sincerely,



L. Allyson Honaker

Enclosures

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

ELECTRONIC TARIFF FILING OF FLEMING-MASON ENERGY
COOPERATIVE, INC.

MOTION FOR DEVIATION

Comes now Fleming-Mason Energy Cooperative, Inc. (“Fleming-Mason”) by and through the undersigned counsel, and does hereby state as follows for its Motion for Deviation from the customer notice requirement contained in 807 KAR 5:011 Section 8 regarding notice to customers.

In support of this Motion, Fleming-Mason respectfully states as follows:

1. Fleming-Mason filed an electronic tariff filing for a new Rate EM- Earnings Mechanism – Retail Tariff in order to pass-through any credit amounts received from East Kentucky Power Cooperative, Inc. (“EKPC”) as a result of the Joint Stipulation and Settlement Agreement and the Final Order in Case No. 2021-00103,¹ to Fleming-Mason’s end-use members.

2. Fleming-Mason does not believe that this tariff filing requires customer notice, since a “charge, fee, condition of service, or rule regarding the provision of service” is not being added or changed. This tariff filing is simply a way to pass-through any credit amount that Fleming-Mason receives from EKPC as a result of the TIER Sharing Mechanism that resulted from EKPC’s wholesale rate proceeding.

¹ Case No. 2021-00103, *In the Matter of: Electronic Application of East Kentucky Power Cooperative, Inc., for a General Adjustment of Rates, Approval of Depreciation Study, Amortization of Certain Regulatory Assets and Other General Relief* (Ky. P.S.C. Sept. 30, 2021), Joint Stipulation and Settlement Agreement (filed July 29, 2021).

3. The new Rate EM tariff is based on EKPC's Rate EM tariff that was approved by the Commission in Case No. 2021-00429.²

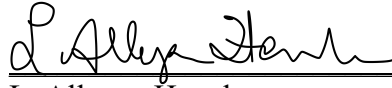
4. Although Fleming-Mason does not believe customer notice is required for this tariff filing, if the Commission disagrees with Fleming-Mason and believes that Fleming-Mason should have given customer notice of this tariff filing, Fleming-Mason requests the Commission to grant a deviation from the notice requirement contained in 807 KAR 5:011 Section 8. Providing customer notice would be a cost for Fleming-Mason to incur for a tariff filing that is only needed in order to have a mechanism in which to pass-through any TIER Sharing credit that it may receive from EKPC. None of Fleming-Mason's end-use members would pay any additional amount for electric service as a result of this tariff, but would instead possibly receive a credit on the end-use member's bill if the requirements for EKPC's TIER Sharing are met.

WHEREFORE, based on the foregoing, Fleming-Mason requests the Commission to grant it a deviation from the customer notice requirement in 807 KAR 5:011 Section 8.

Dated this 28th of March, 2023.

² Case No. 2021-00429, *In the Matter of: Electronic Tariff Filing of East Kentucky Power Cooperative, Inc., to Establish its Earnings Mechanism Tariff* (Ky. P.S.C. Mar. 29, 2022).

Respectfully submitted,

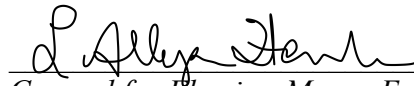


L. Allyson Honaker
HONAKER LAW OFFICE, PLLC
1795 Alysheba Way, Suite 6202
Lexington, Kentucky 40509
(859) 368-8803
allyson@hloky.com

Counsel for Fleming-Mason Energy Cooperative, Inc.

CERTIFICATE OF SERVICE

This is to certify that the foregoing electronic filing was transmitted to the Commission via the electronic tariff filing system on March 28, 2023; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; and that pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085, no paper copies of the filing will be made.



Counsel for Fleming-Mason Energy Cooperative, Inc.

CLASSIFICATION OF SERVICE**EARNINGS MECHANISM – SCHEDULE EM**Applicability:

In all territory served by Fleming-Mason Energy Cooperative, Inc. ("FME")

Availability:

Available to retail members pursuant to Paragraph 6 of the Joint Stipulation, Settlement Agreement and Recommendation approved in East Kentucky Power Cooperative, Inc.'s ("EKPC") base rate case, Case No. 2021-00103 and EKPC's EM Tariff filing, Case No. 2021-00429.

Purpose:

EKPC has committed to return any excess margins to its Owner-Member Cooperatives for contemporaneous pass-through to End-Use Retail Members ("retail members") in the form of a bill credit in the event that EKPC achieves per-book margins in excess of a target TIER in any calendar year. Any excess margins to be returned will be allocated based upon the percentage of each EKPC rate class's total revenue for the most recent calendar year. EKPC will make an annual filing with the Commission setting forth its calculations of margins and any required bill credit for the most recent calendar year on or before April 30th of the following year.

Methodology:

Allocation of Excess Margins from EKPC. EKPC will determine the allocation of the excess margin for the most recent calendar year and will prepare and provide to FME a schedule showing the allocation of the excess margin for the most recent calendar year by EKPC rate class.


Calculation of Bill Credit. FME will calculate the bill credit applicable to its retail members in the following manner:

- a. FME will determine which of its retail rate schedules correspond with the EKPC wholesale rate classes. Using the same calendar year as EKPC, FME will determine the total revenues for the set of its rate schedules that correspond with each EKPC rate class.
- b. FME will determine the percentage of the total revenues for each of its rate schedules that correspond with the applicable EKPC rate class.
- c. FME will allocate the excess margin by EKPC rate class to its corresponding rate schedules by multiplying the allocated excess margin by EKPC rate class by the percentages determined in part b.
- d. FME will calculate a "Bill Credit Percentage" for each of its retail rate schedules. The Bill Credit Percentage will be calculated by dividing the excess margin allocated to the retail rate schedule by the total revenues for that retail rate schedule used in part a. If there is only one retail member served by an FME retail rate schedule, the excess margin allocated to the retail rate schedule will be the amount of the bill credit for that retail member.

DATE OF ISSUE: March 28, 2023

DATE EFFECTIVE: April 28, 2023

ISSUED BY:



Brandon Hunt
President and Chief Executive Officer

CLASSIFICATION OF SERVICE

EARNINGS MECHANISM – SCHEDULE EM

- e. Utilizing its customer account information, FME will apply the Bill Credit Percentage for each retail rate schedule to the total revenues provided by each retail member in the calendar year used by EKPC when determining the excess margins to calculate the bill credit for each retail member.
- f. FME may elect to return the bill credit as a one-time credit on the retail member's current bill or spread the bill credit over several billings. If the bill credit is spread over several billings, the payment of the bill credit will be completed by the end of the calendar year.

DATE OF ISSUE: March 28, 2023

DATE EFFECTIVE: April 28, 2023

ISSUED BY:



Brandon Hunt
President and Chief Executive Officer

March 28, 2023

Ms. Linda C. Bridwell, P.E.
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, KY 40602

Via Electronic Tariff Filing System

Re: Electronic Tariff Filing of Grayson Rural Electric Cooperative Corporation

Dear Ms. Bridwell:

Enclosed, please find for filing, Grayson Rural Electric Cooperative Corporation's ("Grayson RECC") Rate EM – Earnings Mechanism – Member Tariff, a Motion for Deviation and a calculation spreadsheet. This tariff filing is made pursuant to the Joint Stipulation and Settlement Agreement filed in Case No. 2021-00103,¹ East Kentucky Power Cooperative, Inc's ("EKPC") wholesale rate proceeding. Pursuant to the Joint Stipulation and Settlement Agreement, EKPC filed for approval of its Rate EM tariff in Case No. 2021-00429.² The Commission approved EKPC's Rate EM Tariff in that proceeding, with modifications, on March 29, 2022.

As part of the Joint Stipulation and Settlement Agreement, any TIER sharing that is passed from EKPC to its owner-members, then flows through from the sixteen EKPC owner-members to their end-use members. In order for that flow through to the end-use members to occur, each of the sixteen EKPC owner-members must have a Rate EM Tariff on file with the Commission. There is currently no such tariff on file for any of the sixteen EKPC owner-members.

The attached Rate EM Tariff has been drafted to be consistent with EKPC's Rate EM Tariff which has been approved by the Commission. Once EKPC determines the

¹ Case No. 2021-00103, *In the Matter of: Electronic Application of East Kentucky Power Cooperative, Inc., for a General Adjustment of Rates, Approval of Depreciation Study, Amortization of Certain Regulatory Assets and Other General Relief* (Ky. P.S.C. Sept. 30, 2021), Joint Stipulation and Settlement Agreement (filed July 29, 2021).

² Case No. 2021-00429, *In the Matter of: Electronic Tariff Filing of East Kentucky Power Cooperative, Inc., to Establish its Earnings Mechanism Tariff* (Ky. P.S.C. Mar. 29, 2022).

amount of the TIER Sharing for each owner-member, the owner-member will then use the percentages provided by EKPC to determine the percentage of the TIER Sharing that would flow through to each of its customer classes. The owner-member would then issue a bill credit to each of its current end-use members at the time of receiving the TIER Sharing from EKPC.

No customer notice was provided to the end-use members since this is not a rate that an end-use member can subscribe. This is simply a pass-through of any credit that is received by the owner-member from EKPC to the end-use members. If EKPC does not provide a TIER Sharing amount to the owner-member then no credit will be issued to the end-use member. If the Commission disagrees and believes that customer notice should have been given to the end-use members, a Motion for Deviation is also being filed with this tariff filing.

In addition to the Rate EM Tariff and the Motion for Deviation, an Excel spreadsheet is being provided for informational purposes only. This spreadsheet shows a sample calculation to be used by the owner-members to determine the amount of credit that would be passed through to each of its end-use members.

Please do not hesitate to contact me with any questions or concerns.

Sincerely,



L. Allyson Honaker

Enclosures

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

ELECTRONIC TARIFF FILING OF GRAYSON RURAL ELECTRIC
COOPERATIVE CORPORATION

MOTION FOR DEVIATION

Comes now Grayson Rural Electric Cooperative Corporation (“Grayson RECC”) by and through the undersigned counsel, and does hereby state as follows for its Motion for Deviation from the customer notice requirement contained in 807 KAR 5:011 Section 8 regarding notice to customers. In support of this Motion, Grayson RECC respectfully states as follows:

1. Grayson RECC filed an electronic tariff filing for a new Rate EM- Earnings Mechanism – Retail Tariff in order to pass-through any credit amounts received from East Kentucky Power Cooperative, Inc. (“EKPC”) as a result of the Joint Stipulation and Settlement Agreement and the Final Order in Case No. 2021-00103,¹ to Grayson RECC’s end-use members.

2. Grayson RECC does not believe that this tariff filing requires customer notice, since a “charge, fee, condition of service, or rule regarding the provision of service” is not being added or changed. This tariff filing is simply a way to pass-through any credit amount that Grayson RECC receives from EKPC as a result of the TIER Sharing Mechanism that resulted from EKPC’s wholesale rate proceeding.

¹ Case No. 2021-00103, *In the Matter of: Electronic Application of East Kentucky Power Cooperative, Inc., for a General Adjustment of Rates, Approval of Depreciation Study, Amortization of Certain Regulatory Assets and Other General Relief* (Ky. P.S.C. Sept. 30, 2021), Joint Stipulation and Settlement Agreement (filed July 29, 2021).

3. The new Rate EM tariff is based on EKPC's Rate EM tariff that was approved by the Commission in Case No. 2021-00429.²

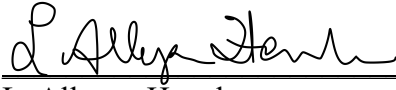
4. Although Grayson RECC does not believe customer notice is required for this tariff filing, if the Commission disagrees with Grayson RECC and believes that Grayson RECC should have given customer notice of this tariff filing, Grayson RECC requests the Commission to grant a deviation from the notice requirement contained in 807 KAR 5:011 Section 8. Providing customer notice would be a cost for Grayson RECC to incur for a tariff filing that is only needed in order to have a mechanism in which to pass-through any TIER Sharing credit that it may receive from EKPC. None of Grayson RECC's end-use members would pay any additional amount for electric service as a result of this tariff, but would instead possibly receive a credit on the end-use member's bill if the requirements for EKPC's TIER Sharing are met.

WHEREFORE, based on the foregoing, Grayson RECC requests the Commission to grant it a deviation from the customer notice requirement in 807 KAR 5:011 Section 8.

Dated this 28th of March, 2023.

² Case No. 2021-00429, *In the Matter of: Electronic Tariff Filing of East Kentucky Power Cooperative, Inc., to Establish its Earnings Mechanism Tariff* (Ky. P.S.C. Mar. 29, 2022).

Respectfully submitted,



L. Allyson Honaker
HONAKER LAW OFFICE, PLLC
1795 Alysheba Way, Suite 6202
Lexington, Kentucky 40509
(859) 368-8803
allyson@hloky.com

Counsel for Grayson RECC

CERTIFICATE OF SERVICE

This is to certify that the foregoing electronic filing was transmitted to the Commission via the electronic tariff filing system on March 28, 2023; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; and that pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085, no paper copies of the filing will be made.



Counsel for Grayson RECC

Rate EM – Earnings Mechanism – Member Tariff

N

Applicability

In the service territory of Grayson Rural Electric Cooperative Corporation (“Grayson RECC”).

Availability

Available to retail members pursuant to Paragraph 6 of the Joint Stipulation, Settlement Agreement and Recommendation approved in East Kentucky Power Cooperative, Inc.’s (“EKPC”) base rate case, Case No. 2021-00103 and EKPC’s EM Tariff filing, Case No. 2021-00429.

Purpose

EKPC has committed to return any excess margins to its Owner-Member Cooperatives for contemporaneous pass-through to End-Use Retail Members (“retail members”) in the form of a bill credit in the event that EKPC achieves per-book margins in excess of a target TIER in any calendar year. Any excess margins to be returned will be allocated based upon the percentage of each EKPC rate class’s total revenue for the most recent calendar year. EKPC will make an annual filing with the Commission setting forth its calculations of margins and any required bill credit for the most recent calendar year on or before April 30th of the following year.

Methodology

Allocation of Excess Margins from EKPC. EKPC will determine the allocation of the excess margin for the most recent calendar year and will prepare and provide to Grayson RECC a schedule showing the allocation of the excess margin for the most recent calendar year by EKPC rate class.

Calculation of Bill Credit. Grayson RECC will calculate the bill credit applicable to its retail members in the following manner:

- a. Grayson RECC will determine which of its retail rate schedules correspond with the EKPC wholesale rate classes. Using the same calendar year as EKPC, Grayson RECC will determine the total revenues for the set of its rate schedules that correspond with each EKPC rate class.
- b. Grayson RECC will determine the percentage of the total revenues for each of its rate schedules that correspond with the applicable EKPC rate class.

DATE OF ISSUE March 28, 2023
MONTH / DATE / YEAR

DATE EFFECTIVE April 28, 2023
MONTH / DATE / YEAR

ISSUED BY Bradley Cherry
SIGNATURE OF OFFICER

TITLE President & CEO

Grayson Rural Electric Cooperative Corporation

- c. Grayson RECC will allocate the excess margin by EKPC rate class to its corresponding rate schedules by multiplying the allocated excess margin by EKPC rate class by the percentages determined in part b.
- d. Grayson RECC will calculate a “Bill Credit Percentage” for each of its retail rate schedules. The Bill Credit Percentage will be calculated by dividing the excess margin allocated to the retail rate schedule by the total revenues for that retail rate schedule used in part a. If there is only one retail member served by a Grayson RECC retail rate schedule, the excess margin allocated to the retail rate schedule will be the amount of the bill credit for that retail member.
- e. Utilizing its customer account information, Grayson RECC will apply the Bill Credit Percentage for each retail rate schedule to the total revenues provided by each retail member in the calendar year used by EKPC when determining the excess margins to calculate the bill credit for each retail member.
- f. Grayson RECC may elect to return the bill credit as a one-time credit on the retail member’s current bill or spread the bill credit over several billings. If the bill credit is spread over several billings, the payment of the bill credit will be completed by the end of the calendar year.

N
↓

DATE OF ISSUE March 28, 2023
MONTH / DATE / YEAR

DATE EFFECTIVE April 28, 2023
MONTH / DATE / YEAR

ISSUED BY *Bradley Cherry*
SIGNATURE OF OFFICER

TITLE President & CEO

March 28, 2023

Ms. Linda C. Bridwell, P.E.
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, KY 40602

Via Electronic Tariff Filing System

Re: Electronic Tariff Filing of Inter-County Energy Cooperative Corporation

Dear Ms. Bridwell:

Enclosed, please find for filing, Inter-County Energy Cooperative Corporation's ("Inter-County") Rate EM – Earnings Mechanism – Member Tariff, a Motion for Deviation and a calculation spreadsheet. This tariff filing is made pursuant to the Joint Stipulation and Settlement Agreement filed in Case No. 2021-00103,¹ East Kentucky Power Cooperative, Inc.'s ("EKPC") wholesale rate proceeding. Pursuant to the Joint Stipulation and Settlement Agreement, EKPC filed for approval of its Rate EM tariff in Case No. 2021-00429.² The Commission approved EKPC's Rate EM Tariff in that proceeding, with modifications, on March 29, 2022.

As part of the Joint Stipulation and Settlement Agreement, any TIER sharing that is passed from EKPC to its owner-members, then flows through from the sixteen EKPC owner-members to their end-use members. In order for that flow through to the end-use members to occur, each of the sixteen EKPC owner-members must have a Rate EM Tariff on file with the Commission. There is currently no such tariff on file for any of the sixteen EKPC owner-members.

The attached Rate EM Tariff has been drafted to be consistent with EKPC's Rate EM Tariff which has been approved by the Commission. Once EKPC determines the amount of the TIER Sharing for each owner-member, the owner-member will then use the

¹ Case No. 2021-00103, *In the Matter of: Electronic Application of East Kentucky Power Cooperative, Inc., for a General Adjustment of Rates, Approval of Depreciation Study, Amortization of Certain Regulatory Assets and Other General Relief* (Ky. P.S.C. Sept. 30, 2021), Joint Stipulation and Settlement Agreement (filed July 29, 2021).

² Case No. 2021-00429, *In the Matter of: Electronic Tariff Filing of East Kentucky Power Cooperative, Inc., to Establish its Earnings Mechanism Tariff* (Ky. P.S.C. Mar. 29, 2022).

percentages provided by EKPC to determine the percentage of the TIER Sharing that would flow through to each of its customer classes. The owner-member would then issue a bill credit to each of its current end-use members at the time of receiving the TIER Sharing from EKPC.

No customer notice was provided to the end-use members since this is not a rate that an end-use member can subscribe. This is simply a pass-through of any credit that is received by the owner-member from EKPC to the end-use members. If EKPC does not provide a TIER Sharing amount to the owner-member then no credit will be issued to the end-use member. If the Commission disagrees and believes that customer notice should have been given to the end-use members, a Motion for Deviation is also being filed with this tariff filing.

In addition to the Rate EM Tariff and the Motion for Deviation, an Excel spreadsheet is being provided for informational purposes only. This spreadsheet shows a sample calculation to be used by the owner-members to determine the amount of credit that would be passed through to each of its end-use members.

Please do not hesitate to contact me with any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Allyson Honaker". The signature is fluid and cursive, with a large initial "L" and a long, sweeping tail.

L. Allyson Honaker

Enclosures

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

ELECTRONIC TARIFF FILING OF INTER-COUNTY ENERGY COOPERATIVE
CORPORATION

MOTION FOR DEVIATION

Comes now Inter-County Energy Cooperative Corporation (“Inter-County”) by and through the undersigned counsel, and does hereby state as follows for its Motion for Deviation from the customer notice requirement contained in 807 KAR 5:011 Section 8 regarding notice to customers. In support of this Motion, Inter-County respectfully states as follows:

1. Inter-County filed an electronic tariff filing for a new Rate EM- Earnings Mechanism – Retail Tariff in order to pass-through any credit amounts received from East Kentucky Power Cooperative, Inc. (“EKPC”) as a result of the Joint Stipulation and Settlement Agreement and the Final Order in Case No. 2021-00103,¹ to Inter-County’s end-use members.

2. Inter-County does not believe that this tariff filing requires customer notice, since a “charge, fee, condition of service, or rule regarding the provision of service” is not being added or changed. This tariff filing is simply a way to pass-through any credit amount that Inter-County receives from EKPC as a result of the TIER Sharing Mechanism that resulted from EKPC’s wholesale rate proceeding.

¹ Case No. 2021-00103, *In the Matter of: Electronic Application of East Kentucky Power Cooperative, Inc., for a General Adjustment of Rates, Approval of Depreciation Study, Amortization of Certain Regulatory Assets and Other General Relief* (Ky. P.S.C. Sept. 30, 2021), Joint Stipulation and Settlement Agreement (filed July 29, 2021).

3. The new Rate EM tariff is based on EKPC's Rate EM tariff that was approved by the Commission in Case No. 2021-00429.²

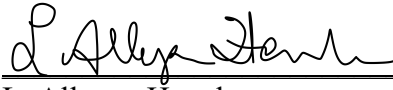
4. Although Inter-County does not believe customer notice is required for this tariff filing, if the Commission disagrees with Inter-County and believes that Inter-County should have given customer notice of this tariff filing, Inter-County requests the Commission to grant a deviation from the notice requirement contained in 807 KAR 5:011 Section 8. Providing customer notice would be a cost for Inter-County to incur for a tariff filing that is only needed in order to have a mechanism in which to pass-through any TIER Sharing credit that it may receive from EKPC. None of Inter-County's end-use members would pay any additional amount for electric service as a result of this tariff, but would instead possibly receive a credit on the end-use member's bill if the requirements for EKPC's TIER Sharing are met.

WHEREFORE, based on the foregoing, Inter-County requests the Commission to grant it a deviation from the customer notice requirement in 807 KAR 5:011 Section 8.

Dated this 28th of March, 2023.

² Case No. 2021-00429, *In the Matter of: Electronic Tariff Filing of East Kentucky Power Cooperative, Inc., to Establish its Earnings Mechanism Tariff* (Ky. P.S.C. Mar. 29, 2022).

Respectfully submitted,



L. Allyson Honaker
HONAKER LAW OFFICE, PLLC
1795 Alysheba Way, Suite 6202
Lexington, Kentucky 40509
(859) 368-8803
allyson@hloky.com

Counsel for Inter-County Energy Cooperative Corporation

CERTIFICATE OF SERVICE

This is to certify that the foregoing electronic filing was transmitted to the Commission via the electronic tariff filing system on March 28, 2023; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; and that pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085, no paper copies of the filing will be made.



Counsel for Inter-County Energy Cooperative Corporation

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FOR ENTIRE TERRITORY SERVED
Community, Town or City

P.S.C. KY. NO. 8

ORIGINAL SHEET NO. 123.39

CANCELLING P.S.C. KY. NO. 8

 SHEET NO.

INTER-COUNTY ENERGY

(Name of Utility)

CLASSIFICATION OF SERVICE

RATE SCHEDULE EM – EARNINGS MECHANISM

Applicability

In the service territory of Inter-County Energy.

Availability

Available to retail members pursuant to Paragraph 6 of the Joint Stipulation, Settlement Agreement and Recommendation approved in East Kentucky Power Cooperative, Inc.'s ("EKPC") base rate case, Case No. 2021-00103 and EKPC's EM Tariff filing, Case No. 2021-00429.

Purpose

EKPC has committed to return any excess margins to its Owner-Member Cooperatives for contemporaneous pass-through to End-Use Retail Members ("retail members") in the form of a bill credit in the event that EKPC achieves per-book margins in excess of a target TIER in any calendar year. Any excess margins to be returned will be allocated based upon the percentage of each EKPC rate class's total revenue for the most recent calendar year. EKPC will make an annual filing with the Commission setting forth its calculations of margins and any required bill credit for the most recent calendar year on or before April 30th of the following year.

Methodology

Allocation of Excess Margins from EKPC. EKPC will determine the allocation of the excess margin for the most recent calendar year and will prepare and provide to Inter-County Energy a schedule showing the allocation of the excess margin for the most recent calendar year by EKPC rate class.

Calculation of Bill Credit. Inter-County Energy will calculate the bill credit applicable to its retail members in the following manner:

- a. Inter-County Energy will determine which of its retail rate schedules correspond with the EKPC wholesale rate classes. Using the same calendar year as EKPC, Inter-County Energy will determine the total revenues for the set of its rate schedules that correspond with each EKPC rate class.

DATE OF ISSUE March 28, 2023
Month / Date / Year

DATE EFFECTIVE April 28, 2023
Month / Date / Year

ISSUED BY Jerry W. Carter
Signature of Officer

TITLE President/CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION IN CASE
NO. _____ DATED _____

N



March 28, 2023

Ms. Linda C. Bridwell, P.E.
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, KY 40602

Via Electronic Tariff Filing System

Re: Electronic Tariff Filing of Jackson Energy Cooperative Corporation

Dear Ms. Bridwell:

Enclosed, please find for filing, Jackson Energy Cooperative Corporation's ("Jackson Energy") Rate EM – Earnings Mechanism – Member Tariff, a Motion for Deviation and a calculation spreadsheet. This tariff filing is made pursuant to the Joint Stipulation and Settlement Agreement filed in Case No. 2021-00103,¹ East Kentucky Power Cooperative, Inc.'s ("EKPC") wholesale rate proceeding. Pursuant to the Joint Stipulation and Settlement Agreement, EKPC filed for approval of its Rate EM tariff in Case No. 2021-00429.² The Commission approved EKPC's Rate EM Tariff in that proceeding, with modifications, on March 29, 2022.

As part of the Joint Stipulation and Settlement Agreement, any TIER sharing that is passed from EKPC to its owner-members, then flows through from the sixteen EKPC owner-members to their end-use members. In order for that flow through to the end-use members to occur, each of the sixteen EKPC owner-members must have a Rate EM Tariff on file with the Commission. There is currently no such tariff on file for any of the sixteen EKPC owner-members.

The attached Rate EM Tariff has been drafted to be consistent with EKPC's Rate EM Tariff which has been approved by the Commission. Once EKPC determines the amount of the TIER Sharing for each owner-member, the owner-member will then use the

¹ Case No. 2021-00103, *In the Matter of: Electronic Application of East Kentucky Power Cooperative, Inc., for a General Adjustment of Rates, Approval of Depreciation Study, Amortization of Certain Regulatory Assets and Other General Relief* (Ky. P.S.C. Sept. 30, 2021), Joint Stipulation and Settlement Agreement (filed July 29, 2021).

² Case No. 2021-00429, *In the Matter of: Electronic Tariff Filing of East Kentucky Power Cooperative, Inc., to Establish its Earnings Mechanism Tariff* (Ky. P.S.C. Mar. 29, 2022).

percentages provided by EKPC to determine the percentage of the TIER Sharing that would flow through to each of its customer classes. The owner-member would then issue a bill credit to each of its current end-use members at the time of receiving the TIER Sharing from EKPC.

No customer notice was provided to the end-use members since this is not a rate that an end-use member can subscribe. This is simply a pass-through of any credit that is received by the owner-member from EKPC to the end-use members. If EKPC does not provide a TIER Sharing amount to the owner-member then no credit will be issued to the end-use member. If the Commission disagrees and believes that customer notice should have been given to the end-use members, a Motion for Deviation is also being filed with this tariff filing.

In addition to the Rate EM Tariff and the Motion for Deviation, an Excel spreadsheet is being provided for informational purposes only. This spreadsheet shows a sample calculation to be used by the owner-members to determine the amount of credit that would be passed through to each of its end-use members.

Please do not hesitate to contact me with any questions or concerns.

Sincerely,



L. Allyson Honaker

Enclosures

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

ELECTRONIC TARIFF FILING OF JACKSON ENERGY COOPERATIVE
CORPORATION

MOTION FOR DEVIATION

Comes now Jackson Energy Cooperative Corporation (“Jackson Energy”) by and through the undersigned counsel, and does hereby state as follows for its Motion for Deviation from the customer notice requirement contained in 807 KAR 5:011 Section 8 regarding notice to customers.

In support of this Motion, Jackson Energy respectfully states as follows:

1. Jackson Energy filed an electronic tariff filing for a new Rate EM- Earnings Mechanism – Retail Tariff in order to pass-through any credit amounts received from East Kentucky Power Cooperative, Inc. (“EKPC”) as a result of the Joint Stipulation and Settlement Agreement and the Final Order in Case No. 2021-00103,¹ to Jackson Energy’s end-use members.

2. Jackson Energy does not believe that this tariff filing requires customer notice, since a “charge, fee, condition of service, or rule regarding the provision of service” is not being added or changed. This tariff filing is simply a way to pass-through any credit amount that Jackson Energy receives from EKPC as a result of the TIER Sharing Mechanism that resulted from EKPC’s wholesale rate proceeding.

¹ Case No. 2021-00103, *In the Matter of: Electronic Application of East Kentucky Power Cooperative, Inc., for a General Adjustment of Rates, Approval of Depreciation Study, Amortization of Certain Regulatory Assets and Other General Relief* (Ky. P.S.C. Sept. 30, 2021), Joint Stipulation and Settlement Agreement (filed July 29, 2021).

3. The new Rate EM tariff is based on EKPC's Rate EM tariff that was approved by the Commission in Case No. 2021-00429.²

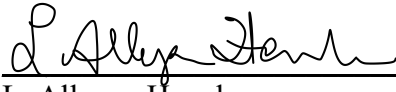
4. Although Jackson Energy does not believe customer notice is required for this tariff filing, if the Commission disagrees with Jackson Energy and believes that Jackson Energy should have given customer notice of this tariff filing, Jackson Energy requests the Commission to grant a deviation from the notice requirement contained in 807 KAR 5:011 Section 8. Providing customer notice would be a cost for Jackson Energy to incur for a tariff filing that is only needed in order to have a mechanism in which to pass-through any TIER Sharing credit that it may receive from EKPC. None of Jackson Energy's end-use members would pay any additional amount for electric service as a result of this tariff, but would instead possibly receive a credit on the end-use member's bill if the requirements for EKPC's TIER Sharing are met.

WHEREFORE, based on the foregoing, Jackson Energy requests the Commission to grant it a deviation from the customer notice requirement in 807 KAR 5:011 Section 8.

Dated this 28th of March, 2023.

² Case No. 2021-00429, *In the Matter of: Electronic Tariff Filing of East Kentucky Power Cooperative, Inc., to Establish its Earnings Mechanism Tariff* (Ky. P.S.C. Mar. 29, 2022).

Respectfully submitted,

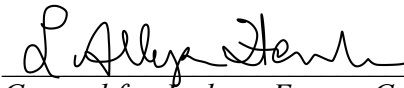


L. Allyson Honaker
HONAKER LAW OFFICE, PLLC
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Lexington, Kentucky 40509
(859) 368-8803
allyson@hloky.com

Counsel for Jackson Energy Cooperative Corporation

CERTIFICATE OF SERVICE

This is to certify that the foregoing electronic filing was transmitted to the Commission via the electronic tariff filing system on March 28, 2023; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; and that pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085, no paper copies of the filing will be made.



Counsel for Jackson Energy Cooperative Corporation

Rate EM – Earnings Mechanism – Member Tariff

N

Applicability

In the service territory of Jackson Energy Cooperative Corporation (“Jackson Energy”).

Availability

Available to retail members pursuant to Paragraph 6 of the Joint Stipulation, Settlement Agreement and Recommendation approved in East Kentucky Power Cooperative, Inc.’s (“EKPC”) base rate case, Case No. 2021-00103 and EKPC’s EM Tariff filing, Case No. 2021-00429.

Purpose

EKPC has committed to return any excess margins to its Owner-Member Cooperatives for contemporaneous pass-through to End-Use Retail Members (“retail members”) in the form of a bill credit in the event that EKPC achieves per-book margins in excess of a target TIER in any calendar year. Any excess margins to be returned will be allocated based upon the percentage of each EKPC rate class’s total revenue for the most recent calendar year. EKPC will make an annual filing with the Commission setting forth its calculations of margins and any required bill credit for the most recent calendar year on or before April 30th of the following year.

Methodology


Allocation of Excess Margins from EKPC. EKPC will determine the allocation of the excess margin for the most recent calendar year and will prepare and provide to Jackson Energy a schedule showing the allocation of the excess margin for the most recent calendar year by EKPC rate class.

Calculation of Bill Credit. Jackson Energy will calculate the bill credit applicable to its retail members in the following manner:

- a. Jackson Energy will determine which of its retail rate schedules correspond with the EKPC wholesale rate classes. Using the same calendar year as EKPC, Jackson Energy will determine the total revenues for the set of its rate schedules that correspond with each EKPC rate class.
- b. Jackson Energy will determine the percentage of the total revenues for each of its rate schedules that correspond with the applicable EKPC rate class.

Date of Issue: March 28, 2023

Date Effective: April 28, 2023

Issued By: 
President & CEO

Rate EM – Earnings Mechanism – Member Tariff (continued)

- c. Jackson Energy will allocate the excess margin by EKPC rate class to its corresponding rate schedules by multiplying the allocated excess margin by EKPC rate class by the percentages determined in part b.
- d. Jackson Energy will calculate a “Bill Credit Percentage” for each of its retail rate schedules. The Bill Credit Percentage will be calculated by dividing the excess margin allocated to the retail rate schedule by the total revenues for that retail rate schedule used in part a. If there is only one retail member served by a Jackson Energy retail rate schedule, the excess margin allocated to the retail rate schedule will be the amount of the bill credit for that retail member.
- e. Utilizing its customer account information, Jackson Energy will apply the Bill Credit Percentage for each retail rate schedule to the total revenues provided by each retail member in the calendar year used by EKPC when determining the excess margins to calculate the bill credit for each retail member.
- f. Jackson Energy may elect to return the bill credit as a one-time credit on the retail member’s current bill or spread the bill credit over several billings. If the bill credit is spread over several billings, the payment of the bill credit will be completed by the end of the calendar year.

N
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Date of Issue: March 28, 2023

Date Effective: April 28, 2023

Issued By: *Carol Wiegert*
President & CEO

March 28, 2023

Ms. Linda C. Bridwell, P.E.
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, KY 40602

Via Electronic Tariff Filing System

Re: Electronic Tariff Filing of Licking Valley Rural Electric Cooperative Corporation

Dear Ms. Bridwell:

Enclosed, please find for filing, Licking Valley Rural Electric Cooperative Corporation's ("Licking Valley RECC") Rate EM – Earnings Mechanism – Member Tariff, a Motion for Deviation and a calculation spreadsheet. This tariff filing is made pursuant to the Joint Stipulation and Settlement Agreement filed in Case No. 2021-00103,¹ East Kentucky Power Cooperative, Inc's ("EKPC") wholesale rate proceeding. Pursuant to the Joint Stipulation and Settlement Agreement, EKPC filed for approval of its Rate EM tariff in Case No. 2021-00429.² The Commission approved EKPC's Rate EM Tariff in that proceeding, with modifications, on March 29, 2022.

As part of the Joint Stipulation and Settlement Agreement, any TIER sharing that is passed from EKPC to its owner-members, then flows through from the sixteen EKPC owner-members to their end-use members. In order for that flow through to the end-use members to occur, each of the sixteen EKPC owner-members must have a Rate EM Tariff on file with the Commission. There is currently no such tariff on file for any of the sixteen EKPC owner-members.

The attached Rate EM Tariff has been drafted to be consistent with EKPC's Rate EM Tariff which has been approved by the Commission. Once EKPC determines the

¹ Case No. 2021-00103, *In the Matter of: Electronic Application of East Kentucky Power Cooperative, Inc., for a General Adjustment of Rates, Approval of Depreciation Study, Amortization of Certain Regulatory Assets and Other General Relief* (Ky. P.S.C. Sept. 30, 2021), Joint Stipulation and Settlement Agreement (filed July 29, 2021).

² Case No. 2021-00429, *In the Matter of: Electronic Tariff Filing of East Kentucky Power Cooperative, Inc., to Establish its Earnings Mechanism Tariff* (Ky. P.S.C. Mar. 29, 2022).

amount of the TIER Sharing for each owner-member, the owner-member will then use the percentages provided by EKPC to determine the percentage of the TIER Sharing that would flow through to each of its customer classes. The owner-member would then issue a bill credit to each of its current end-use members at the time of receiving the TIER Sharing from EKPC.

No customer notice was provided to the end-use members since this is not a rate that an end-use member can subscribe. This is simply a pass-through of any credit that is received by the owner-member from EKPC to the end-use members. If EKPC does not provide a TIER Sharing amount to the owner-member then no credit will be issued to the end-use member. If the Commission disagrees and believes that customer notice should have been given to the end-use members, a Motion for Deviation is also being filed with this tariff filing.

In addition to the Rate EM Tariff and the Motion for Deviation, an Excel spreadsheet is being provided for informational purposes only. This spreadsheet shows a sample calculation to be used by the owner-members to determine the amount of credit that would be passed through to each of its end-use members.

Please do not hesitate to contact me with any questions or concerns.

Sincerely,



L. Allyson Honaker

Enclosures

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

ELECTRONIC TARIFF FILING OF LICKING VALLEY RURAL ELECTRIC
COOPERATIVE CORPORATION

MOTION FOR DEVIATION

Comes now Licking Valley Rural Electric Cooperative Corporation (“Licking Valley RECC”) by and through the undersigned counsel, and does hereby state as follows for its Motion for Deviation from the customer notice requirement contained in 807 KAR 5:011 Section 8 regarding notice to customers. In support of this Motion, Licking Valley RECC respectfully states as follows:

1. Licking Valley RECC filed an electronic tariff filing for a new Rate EM- Earnings Mechanism – Retail Tariff in order to pass-through any credit amounts received from East Kentucky Power Cooperative, Inc. (“EKPC”) as a result of the Joint Stipulation and Settlement Agreement and the Final Order in Case No. 2021-00103,¹ to Licking Valley RECC’s end-use members.

2. Licking Valley RECC does not believe that this tariff filing requires customer notice, since a “charge, fee, condition of service, or rule regarding the provision of service” is not being added or changed. This tariff filing is simply a way to pass-through any credit amount that

¹ Case No. 2021-00103, *In the Matter of: Electronic Application of East Kentucky Power Cooperative, Inc., for a General Adjustment of Rates, Approval of Depreciation Study, Amortization of Certain Regulatory Assets and Other General Relief* (Ky. P.S.C. Sept. 30, 2021), Joint Stipulation and Settlement Agreement (filed July 29, 2021).

Licking Valley RECC receives from EKPC as a result of the TIER Sharing Mechanism that resulted from EKPC's wholesale rate proceeding.

3. The new Rate EM tariff is based on EKPC's Rate EM tariff that was approved by the Commission in Case No. 2021-00429.²

4. Although Licking Valley RECC does not believe customer notice is required for this tariff filing, if the Commission disagrees with Licking Valley RECC and believes that Licking Valley RECC should have given customer notice of this tariff filing, Licking Valley RECC requests the Commission to grant a deviation from the notice requirement contained in 807 KAR 5:011 Section 8. Providing customer notice would be a cost for Licking Valley RECC to incur for a tariff filing that is only needed in order to have a mechanism in which to pass-through any TIER Sharing credit that it may receive from EKPC. None of Licking Valley RECC's end-use members would pay any additional amount for electric service as a result of this tariff, but would instead possibly receive a credit on the end-use member's bill if the requirements for EKPC's TIER Sharing are met.

WHEREFORE, based on the foregoing, Licking Valley RECC requests the Commission to grant it a deviation from the customer notice requirement in 807 KAR 5:011 Section 8.

Dated this 28th of March, 2023.

² Case No. 2021-00429, *In the Matter of: Electronic Tariff Filing of East Kentucky Power Cooperative, Inc., to Establish its Earnings Mechanism Tariff* (Ky. P.S.C. Mar. 29, 2022).

Respectfully submitted,



L. Allyson Honaker
HONAKER LAW OFFICE, PLLC
1795 Alysheba Way, Suite 6202
Lexington, Kentucky 40509
(859) 368-8803
allyson@hloky.com

Counsel for Licking Valley RECC

CERTIFICATE OF SERVICE

This is to certify that the foregoing electronic filing was transmitted to the Commission via the electronic tariff filing system on March 28, 2023; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; and that pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085, no paper copies of the filing will be made.



Counsel for Licking Valley RECC

Rate EM – Earnings Mechanism – Member Tariff

Applicability

In the service territory of Licking Valley Rural Electric Cooperative Corporation (“Licking Valley RECC”).

Availability

Available to retail members pursuant to Paragraph 6 of the Joint Stipulation, Settlement Agreement and Recommendation approved in East Kentucky Power Cooperative, Inc.’s (“EKPC”) base rate case, Case No. 2021-00103 and EKPC’s EM Tariff filing, Case No. 2021-00429.

Purpose

EKPC has committed to return any excess margins to its Owner-Member Cooperatives for contemporaneous pass-through to End-Use Retail Members (“retail members”) in the form of a bill credit in the event that EKPC achieves per-book margins in excess of a target TIER in any calendar year. Any excess margins to be returned will be allocated based upon the percentage of each EKPC rate class’s total revenue for the most recent calendar year. EKPC will make an annual filing with the Commission setting forth its calculations of margins and any required bill credit for the most recent calendar year on or before April 30th of the following year.

Methodology

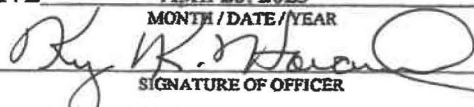
Allocation of Excess Margins from EKPC. EKPC will determine the allocation of the excess margin for the most recent calendar year and will prepare and provide to Licking Valley RECC a schedule showing the allocation of the excess margin for the most recent calendar year by EKPC rate class.

Calculation of Bill Credit. Licking Valley RECC will calculate the bill credit applicable to its retail members in the following manner:

- a. Licking Valley RECC will determine which of its retail rate schedules correspond with the EKPC wholesale rate classes. Using the same calendar year as EKPC, Licking Valley RECC will determine the total revenues for the set of its rate schedules that correspond with each EKPC rate class.
- b. Licking Valley RECC will determine the percentage of the total revenues for each of its rate schedules that correspond with the applicable EKPC rate class.

DATE OF ISSUE March 28, 2023
MONTH / DATE / YEAR

DATE EFFECTIVE April 28, 2023
MONTH / DATE / YEAR

ISSUED BY 
SIGNATURE OF OFFICER

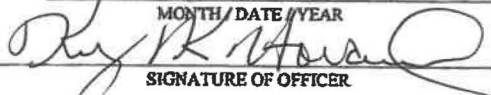
TITLE GENERAL MANAGER / CEO

- c. Licking Valley RECC will allocate the excess margin by EKPC rate class to its corresponding rate schedules by multiplying the allocated excess margin by EKPC rate class by the percentages determined in part b.
- d. Licking Valley RECC will calculate a "Bill Credit Percentage" for each of its retail rate schedules. The Bill Credit Percentage will be calculated by dividing the excess margin allocated to the retail rate schedule by the total revenues for that retail rate schedule used in part a. If there is only one retail member served by a Licking Valley RECC retail rate schedule, the excess margin allocated to the retail rate schedule will be the amount of the bill credit for that retail member.
- e. Utilizing its customer account information, Licking Valley RECC will apply the Bill Credit Percentage for each retail rate schedule to the total revenues provided by each retail member in the calendar year used by EKPC when determining the excess margins to calculate the bill credit for each retail member.
- f. Licking Valley RECC may elect to return the bill credit as a one-time credit on the retail member's current bill or spread the bill credit over several billings. If the bill credit is spread over several billings, the payment of the bill credit will be completed by the end of the calendar year.



DATE OF ISSUE March 28, 2023
MONTH / DATE / YEAR

DATE EFFECTIVE April 28, 2023
MONTH / DATE / YEAR

ISSUED BY 
SIGNATURE OF OFFICER

TITLE GENERAL MANAGER / CEO

March 28, 2023

Ms. Linda C. Bridwell, P.E.
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, KY 40602

Via Electronic Tariff Filing System

Re: Electronic Tariff Filing of Nolin Rural Electric Cooperative Corporation

Dear Ms. Bridwell:

Enclosed, please find for filing, Nolin Rural Electric Cooperative Corporation's ("Nolin RECC") Rate EM – Earnings Mechanism – Member Tariff, a Motion for Deviation and a calculation spreadsheet. This tariff filing is made pursuant to the Joint Stipulation and Settlement Agreement filed in Case No. 2021-00103,¹ East Kentucky Power Cooperative, Inc.'s ("EKPC") wholesale rate proceeding. Pursuant to the Joint Stipulation and Settlement Agreement, EKPC filed for approval of its Rate EM tariff in Case No. 2021-00429.² The Commission approved EKPC's Rate EM Tariff in that proceeding, with modifications, on March 29, 2022.

As part of the Joint Stipulation and Settlement Agreement, any TIER sharing that is passed from EKPC to its owner-members, then flows through from the sixteen EKPC owner-members to their end-use members. In order for that flow through to the end-use members to occur, each of the sixteen EKPC owner-members must have a Rate EM Tariff on file with the Commission. There is currently no such tariff on file for any of the sixteen EKPC owner-members.

The attached Rate EM Tariff has been drafted to be consistent with EKPC's Rate EM Tariff which has been approved by the Commission. Once EKPC determines the amount of the TIER Sharing for each owner-member, the owner-member will then use the

¹ Case No. 2021-00103, *In the Matter of: Electronic Application of East Kentucky Power Cooperative, Inc., for a General Adjustment of Rates, Approval of Depreciation Study, Amortization of Certain Regulatory Assets and Other General Relief* (Ky. P.S.C. Sept. 30, 2021), Joint Stipulation and Settlement Agreement (filed July 29, 2021).

² Case No. 2021-00429, *In the Matter of: Electronic Tariff Filing of East Kentucky Power Cooperative, Inc., to Establish its Earnings Mechanism Tariff* (Ky. P.S.C. Mar. 29, 2022).

percentages provided by EKPC to determine the percentage of the TIER Sharing that would flow through to each of its customer classes. The owner-member would then issue a bill credit to each of its current end-use members at the time of receiving the TIER Sharing from EKPC.

No customer notice was provided to the end-use members since this is not a rate that an end-use member can subscribe. This is simply a pass-through of any credit that is received by the owner-member from EKPC to the end-use members. If EKPC does not provide a TIER Sharing amount to the owner-member then no credit will be issued to the end-use member. If the Commission disagrees and believes that customer notice should have been given to the end-use members, a Motion for Deviation is also being filed with this tariff filing.

In addition to the Rate EM Tariff and the Motion for Deviation, an Excel spreadsheet is being provided for informational purposes only. This spreadsheet shows a sample calculation to be used by the owner-members to determine the amount of credit that would be passed through to each of its end-use members.

Please do not hesitate to contact me with any questions or concerns.

Sincerely,



L. Allyson Honaker

Enclosures

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

ELECTRONIC TARIFF FILING OF NOLIN RURAL ELECTRIC
COOPERATIVE CORPORATION

MOTION FOR DEVIATION

Comes now Nolin Rural Electric Cooperative Corporation (“Nolin RECC”) by and through the undersigned counsel, and does hereby state as follows for its Motion for Deviation from the customer notice requirement contained in 807 KAR 5:011 Section 8 regarding notice to customers.

In support of this Motion, Nolin RECC respectfully states as follows:

1. Nolin RECC filed an electronic tariff filing for a new Rate EM- Earnings Mechanism – Retail Tariff in order to pass-through any credit amounts received from East Kentucky Power Cooperative, Inc. (“EKPC”) as a result of the Joint Stipulation and Settlement Agreement and the Final Order in Case No. 2021-00103,¹ to Nolin RECC’s end-use members.

2. Nolin RECC does not believe that this tariff filing requires customer notice, since a “charge, fee, condition of service, or rule regarding the provision of service” is not being added or changed. This tariff filing is simply a way to pass-through any credit amount that Nolin RECC receives from EKPC as a result of the TIER Sharing Mechanism that resulted from EKPC’s wholesale rate proceeding.

¹ Case No. 2021-00103, *In the Matter of: Electronic Application of East Kentucky Power Cooperative, Inc., for a General Adjustment of Rates, Approval of Depreciation Study, Amortization of Certain Regulatory Assets and Other General Relief* (Ky. P.S.C. Sept. 30, 2021), Joint Stipulation and Settlement Agreement (filed July 29, 2021).

3. The new Rate EM tariff is based on EKPC's Rate EM tariff that was approved by the Commission in Case No. 2021-00429.²

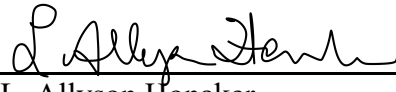
4. Although Nolin RECC does not believe customer notice is required for this tariff filing, if the Commission disagrees with Nolin RECC and believes that Nolin RECC should have given customer notice of this tariff filing, Nolin RECC requests the Commission to grant a deviation from the notice requirement contained in 807 KAR 5:011 Section 8. Providing customer notice would be a cost for Nolin RECC to incur for a tariff filing that is only needed in order to have a mechanism in which to pass-through any TIER Sharing credit that it may receive from EKPC. None of Nolin RECC's end-use members would pay any additional amount for electric service as a result of this tariff, but would instead possibly receive a credit on the end-use member's bill if the requirements for EKPC's TIER Sharing are met.

WHEREFORE, based on the foregoing, Nolin RECC requests the Commission to grant it a deviation from the customer notice requirement in 807 KAR 5:011 Section 8.

Dated this 28th of March, 2023.

² Case No. 2021-00429, *In the Matter of: Electronic Tariff Filing of East Kentucky Power Cooperative, Inc., to Establish its Earnings Mechanism Tariff* (Ky. P.S.C. Mar. 29, 2022).

Respectfully submitted,

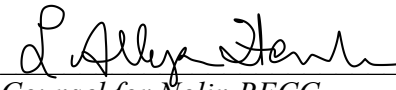


L. Allyson Honaker
HONAKER LAW OFFICE, PLLC
1795 Alysheba Way, Suite 6202
Lexington, Kentucky 40509
(859) 368-8803
allyson@hloky.com

Counsel for Nolin RECC

CERTIFICATE OF SERVICE

This is to certify that the foregoing electronic filing was transmitted to the Commission via the electronic tariff filing system on March 28, 2023; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; and that pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085, no paper copies of the filing will be made.



Counsel for Nolin RECC

Nolin RECC
411 Ring Road
Elizabethtown, KY 42701-6767

PSC KY NO. 10
Original Sheet No. 96

CANCELING PSC KY NO.

Rate EM – Earnings Mechanism – Member Tariff

N

Applicability

In the service territory of Nolin RECC.

Availability

Available to retail members pursuant to Paragraph 6 of the Joint Stipulation, Settlement Agreement and Recommendation approved in East Kentucky Power Cooperative, Inc.’s (“EKPC”) base rate case, Case No. 2021-00103 and EKPC’s EM Tariff filing, Case No. 2021-00429.

Purpose

EKPC has committed to return any excess margins to its Owner-Member Cooperatives for contemporaneous pass-through to End-Use Retail Members (“retail members”) in the form of a bill credit in the event that EKPC achieves per-book margins in excess of a target TIER in any calendar year. Any excess margins to be returned will be allocated based upon the percentage of each EKPC rate class’s total revenue for the most recent calendar year. EKPC will make an annual filing with the Commission setting forth its calculations of margins and any required bill credit for the most recent calendar year on or before April 30th of the following year.

Methodology

Allocation of Excess Margins from EKPC. EKPC will determine the allocation of the excess margin for the most recent calendar year and will prepare and provide to Nolin RECC a schedule showing the allocation of the excess margin for the most recent calendar year by EKPC rate class.

Calculation of Bill Credit. Nolin RECC will calculate the bill credit applicable to its retail members in the following manner:

- a. Nolin RECC will determine which of its retail rate schedules correspond with the EKPC wholesale rate classes. Using the same calendar year as EKPC, Nolin RECC will determine the total revenues for the set of its rate schedules that correspond with each EKPC rate class.

DATE OF ISSUE March 28, 2023
MONTH / DATE / YEAR

DATE EFFECTIVE April 28, 2023
MONTH / DATE / YEAR

ISSUED BY 
SIGNATURE OF OFFICER

TITLE President & CEO

Nolin RECC
411 Ring Road
Elizabethtown, KY 42701-6767


CANCELING PSC KY NO.

-
- b. Nolin RECC will determine the percentage of the total revenues for each of its rate schedules that correspond with the applicable EKPC rate class.
 - c. Nolin RECC will allocate the excess margin by EKPC rate class to its corresponding rate schedules by multiplying the allocated excess margin by EKPC rate class by the percentages determined in part b.
 - d. Nolin RECC will calculate a "Bill Credit Percentage" for each of its retail rate schedules. The Bill Credit Percentage will be calculated by dividing the excess margin allocated to the retail rate schedule by the total revenues for that retail rate schedule used in part a. If there is only one retail member served by a Nolin RECC retail rate schedule, the excess margin allocated to the retail rate schedule will be the amount of the bill credit for that retail member.
 - e. Utilizing its customer account information, Nolin RECC will apply the Bill Credit Percentage for each retail rate schedule to the total revenues provided by each retail member in the calendar year used by EKPC when determining the excess margins to calculate the bill credit for each retail member.
 - f. Nolin RECC may elect to return the bill credit as a one-time credit on the retail member's current bill or spread the bill credit over several billings. If the bill credit is spread over several billings, the payment of the bill credit will be completed by the end of the calendar year.

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DATE OF ISSUE March 28, 2023
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DATE EFFECTIVE April 28, 2023
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ISSUED BY 
SIGNATURE OF OFFICER

TITLE President & CEO

March 28, 2023

Ms. Linda C. Bridwell, P.E.
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, KY 40602

Via Electronic Tariff Filing System

Re: Electronic Tariff Filing of Owen Electric Cooperative, Inc.

Dear Ms. Bridwell:

Enclosed, please find for filing, Owen Electric Cooperative, Inc.'s ("Owen Electric") Rate EM – Earnings Mechanism – Member Tariff, a Motion for Deviation and a calculation spreadsheet. This tariff filing is made pursuant to the Joint Stipulation and Settlement Agreement filed in Case No. 2021-00103,¹ East Kentucky Power Cooperative, Inc.'s ("EKPC") wholesale rate proceeding. Pursuant to the Joint Stipulation and Settlement Agreement, EKPC filed for approval of its Rate EM tariff in Case No. 2021-00429.² The Commission approved EKPC's Rate EM Tariff in that proceeding, with modifications, on March 29, 2022.

As part of the Joint Stipulation and Settlement Agreement, any TIER sharing that is passed from EKPC to its owner-members, then flows through from the sixteen EKPC owner-members to their end-use members. In order for that flow through to the end-use members to occur, each of the sixteen EKPC owner-members must have a Rate EM Tariff on file with the Commission. There is currently no such tariff on file for any of the sixteen EKPC owner-members.

The attached Rate EM Tariff has been drafted to be consistent with EKPC's Rate EM Tariff which has been approved by the Commission. Once EKPC determines the amount of the TIER Sharing for each owner-member, the owner-member will then use the

¹ Case No. 2021-00103, *In the Matter of: Electronic Application of East Kentucky Power Cooperative, Inc., for a General Adjustment of Rates, Approval of Depreciation Study, Amortization of Certain Regulatory Assets and Other General Relief* (Ky. P.S.C. Sept. 30, 2021), Joint Stipulation and Settlement Agreement (filed July 29, 2021).

² Case No. 2021-00429, *In the Matter of: Electronic Tariff Filing of East Kentucky Power Cooperative, Inc., to Establish its Earnings Mechanism Tariff* (Ky. P.S.C. Mar. 29, 2022).

percentages provided by EKPC to determine the percentage of the TIER Sharing that would flow through to each of its customer classes. The owner-member would then issue a bill credit to each of its current end-use members at the time of receiving the TIER Sharing from EKPC.

No customer notice was provided to the end-use members since this is not a rate that an end-use member can subscribe. This is simply a pass-through of any credit that is received by the owner-member from EKPC to the end-use members. If EKPC does not provide a TIER Sharing amount to the owner-member then no credit will be issued to the end-use member. If the Commission disagrees and believes that customer notice should have been given to the end-use members, a Motion for Deviation is also being filed with this tariff filing.

In addition to the Rate EM Tariff and the Motion for Deviation, an Excel spreadsheet is being provided for informational purposes only. This spreadsheet shows a sample calculation to be used by the owner-members to determine the amount of credit that would be passed through to each of its end-use members.

Please do not hesitate to contact me with any questions or concerns.

Sincerely,



L. Allyson Honaker

Enclosures

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

ELECTRONIC TARIFF FILING OF OWEN ELECTRIC COOPERATIVE, INC.

MOTION FOR DEVIATION

Comes now Owen Electric Cooperative, Inc. (“Owen Electric”) by and through the undersigned counsel, and does hereby state as follows for its Motion for Deviation from the customer notice requirement contained in 807 KAR 5:011 Section 8 regarding notice to customers.

In support of this Motion, Owen Electric respectfully states as follows:

1. Owen Electric filed an electronic tariff filing for a new Rate EM- Earnings Mechanism – Retail Tariff in order to pass-through any credit amounts received from East Kentucky Power Cooperative, Inc. (“EKPC”) as a result of the Joint Stipulation and Settlement Agreement and the Final Order in Case No. 2021-00103,¹ to Owen Electric’s end-use members.

2. Owen Electric does not believe that this tariff filing requires customer notice, since a “charge, fee, condition of service, or rule regarding the provision of service” is not being added or changed. This tariff filing is simply a way to pass-through any credit amount that Owen Electric receives from EKPC as a result of the TIER Sharing Mechanism that resulted from EKPC’s wholesale rate proceeding.

¹ Case No. 2021-00103, *In the Matter of: Electronic Application of East Kentucky Power Cooperative, Inc., for a General Adjustment of Rates, Approval of Depreciation Study, Amortization of Certain Regulatory Assets and Other General Relief* (Ky. P.S.C. Sept. 30, 2021), Joint Stipulation and Settlement Agreement (filed July 29, 2021).

3. The new Rate EM tariff is based on EKPC's Rate EM tariff that was approved by the Commission in Case No. 2021-00429.²

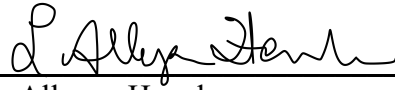
4. Although Owen Electric does not believe customer notice is required for this tariff filing, if the Commission disagrees with Owen Electric and believes that Owen Electric should have given customer notice of this tariff filing, Owen Electric requests the Commission to grant a deviation from the notice requirement contained in 807 KAR 5:011 Section 8. Providing customer notice would be a cost for Owen Electric to incur for a tariff filing that is only needed in order to have a mechanism in which to pass-through any TIER Sharing credit that it may receive from EKPC. None of Owen Electric's end-use members would pay any additional amount for electric service as a result of this tariff, but would instead possibly receive a credit on the end-use member's bill if the requirements for EKPC's TIER Sharing are met.

WHEREFORE, based on the foregoing, Owen Electric requests the Commission to grant it a deviation from the customer notice requirement in 807 KAR 5:011 Section 8.

Dated this 28th of March, 2023.

² Case No. 2021-00429, *In the Matter of: Electronic Tariff Filing of East Kentucky Power Cooperative, Inc., to Establish its Earnings Mechanism Tariff* (Ky. P.S.C. Mar. 29, 2022).

Respectfully submitted,



L. Allyson Honaker
HONAKER LAW OFFICE, PLLC
1795 Alysheba Way, Suite 6202
Lexington, Kentucky 40509
(859) 368-8803
allyson@hloky.com

Counsel for Owen Electric Cooperative, Inc.

CERTIFICATE OF SERVICE

This is to certify that the foregoing electronic filing was transmitted to the Commission via the electronic tariff filing system on March 28, 2023; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; and that pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085, no paper copies of the filing will be made.



Counsel for Owen Electric Cooperative, Inc.

FOR Entire Territory Served
Community, Town or City
P.S.C. KY. NO. 6
Original SHEET NO. 65A
CANCELLING P.S.C. KY NO. _____
SHEET NO. _____

Owen Electric Cooperative, Inc.

(Name of Utility)

Rate EM – Earnings Mechanism – Member Tariff

(N)

Applicability

In the service territory of Owen Electric Cooperative, Inc. (“Owen Electric”).

Availability

Available to retail members pursuant to Paragraph 6 of the Joint Stipulation, Settlement Agreement and Recommendation approved in East Kentucky Power Cooperative, Inc.’s (“EKPC”) base rate case, Case No. 2021-00103 and EKPC’s EM Tariff filing, Case No. 2021-00429.

Purpose


EKPC has committed to return any excess margins to its Owner-Member Cooperatives for contemporaneous pass-through to End-Use Retail Members (“retail members”) in the form of a bill credit in the event that EKPC achieves per-book margins in excess of a target TIER in any calendar year. Any excess margins to be returned will be allocated based upon the percentage of each EKPC rate class’s total revenue for the most recent calendar year. EKPC will make an annual filing with the Commission setting forth its calculations of margins and any required bill credit for the most recent calendar year on or before April 30th of the following year.

Methodology

Allocation of Excess Margins from EKPC. EKPC will determine the allocation of the excess margin for the most recent calendar year and will prepare and provide to Owen Electric a schedule showing the allocation of the excess margin for the most recent calendar year by EKPC rate class.

DATE OF ISSUE March 28, 2023
Month / Date / Year

DATE EFFECTIVE April 28, 2023
Month / Date / Year

ISSUED BY 
(Signature of Officer)

TITLE President/CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION
IN CASE NO. _____ DATED _____

FOR Entire Territory Served
 Community, Town or City
 P.S.C. KY. NO. 6
Original SHEET NO. 65B
 CANCELLING P.S.C. KY NO. _____
 SHEET NO. _____

Owen Electric Cooperative, Inc.

 (Name of Utility)

Rate EM – Earnings Mechanism – Member Tariff (Continued)

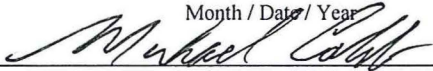
(N)

Calculation of Bill Credit. Owen Electric will calculate the bill credit applicable to its retail members in the following manner:

- a. Owen Electric will determine which of its retail rate schedules correspond with the EKPC wholesale rate classes. Using the same calendar year as EKPC, Owen Electric will determine the total revenues for the set of its rate schedules that correspond with each EKPC rate class.
- b. Owen Electric will determine the percentage of the total revenues for each of its rate schedules that correspond with the applicable EKPC rate class.
- c. Owen Electric will allocate the excess margin by EKPC rate class to its corresponding rate schedules by multiplying the allocated excess margin by EKPC rate class by the percentages determined in part b.
- d. Owen Electric will calculate a “Bill Credit Percentage” for each of its retail rate schedules. The Bill Credit Percentage will be calculated by dividing the excess margin allocated to the retail rate schedule by the total revenues for that retail rate schedule used in part a. If there is only one retail member served by a Owen Electric retail rate schedule, the excess margin allocated to the retail rate schedule will be the amount of the bill credit for that retail member.
- e. Utilizing its customer account information, Owen Electric will apply the Bill Credit Percentage for each retail rate schedule to the total revenues provided by each retail member in the calendar year used by EKPC when determining the excess margins to calculate the bill credit for each retail member.
- f. Owen Electric may elect to return the bill credit as a one-time credit on the retail member’s current bill or spread the bill credit over several billings. If the bill credit is spread over several billings, the payment of the bill credit will be completed by the end of the calendar year.

DATE OF ISSUE March 28, 2023
 Month / Date / Year

DATE EFFECTIVE April 28, 2023
 Month / Date / Year

ISSUED BY 
 (Signature of Officer)

TITLE President/CEO

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION
 IN CASE NO. _____ DATED _____

March 28, 2023

Ms. Linda C. Bridwell, P.E.
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, KY 40602

Via Electronic Tariff Filing System

Re: Electronic Tariff Filing of Salt River Electric

Dear Ms. Bridwell:

Enclosed, please find for filing, Salt River Electric's ("Salt River") Rate EM – Earnings Mechanism – Member Tariff, a Motion for Deviation and a calculation spreadsheet. This tariff filing is made pursuant to the Joint Stipulation and Settlement Agreement filed in Case No. 2021-00103,¹ East Kentucky Power Cooperative, Inc.'s ("EKPC") wholesale rate proceeding. Pursuant to the Joint Stipulation and Settlement Agreement, EKPC filed for approval of its Rate EM tariff in Case No. 2021-00429.² The Commission approved EKPC's Rate EM Tariff in that proceeding, with modifications, on March 29, 2022.

As part of the Joint Stipulation and Settlement Agreement, any TIER sharing that is passed from EKPC to its owner-members, then flows through from the sixteen EKPC owner-members to their end-use members. In order for that flow through to the end-use members to occur, each of the sixteen EKPC owner-members must have a Rate EM Tariff on file with the Commission. There is currently no such tariff on file for any of the sixteen EKPC owner-members.

The attached Rate EM Tariff has been drafted to be consistent with EKPC's Rate EM Tariff which has been approved by the Commission. Once EKPC determines the amount of the TIER Sharing for each owner-member, the owner-member will then use the

¹ Case No. 2021-00103, *In the Matter of: Electronic Application of East Kentucky Power Cooperative, Inc., for a General Adjustment of Rates, Approval of Depreciation Study, Amortization of Certain Regulatory Assets and Other General Relief* (Ky. P.S.C. Sept. 30, 2021), Joint Stipulation and Settlement Agreement (filed July 29, 2021).

² Case No. 2021-00429, *In the Matter of: Electronic Tariff Filing of East Kentucky Power Cooperative, Inc., to Establish its Earnings Mechanism Tariff* (Ky. P.S.C. Mar. 29, 2022).

percentages provided by EKPC to determine the percentage of the TIER Sharing that would flow through to each of its customer classes. The owner-member would then issue a bill credit to each of its current end-use members at the time of receiving the TIER Sharing from EKPC.

No customer notice was provided to the end-use members since this is not a rate that an end-use member can subscribe. This is simply a pass-through of any credit that is received by the owner-member from EKPC to the end-use members. If EKPC does not provide a TIER Sharing amount to the owner-member then no credit will be issued to the end-use member. If the Commission disagrees and believes that customer notice should have been given to the end-use members, a Motion for Deviation is also being filed with this tariff filing.

In addition to the Rate EM Tariff and the Motion for Deviation, an Excel spreadsheet is being provided for informational purposes only. This spreadsheet shows a sample calculation to be used by the owner-members to determine the amount of credit that would be passed through to each of its end-use members.

Please do not hesitate to contact me with any questions or concerns.

Sincerely,



L. Allyson Honaker

Enclosures

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

ELECTRONIC TARIFF FILING OF SALT RIVER ELECTRIC COOPERATIVE
CORP.

MOTION FOR DEVIATION

Comes now Salt River Electric Cooperative Corp. (“Salt River”) by and through the undersigned counsel, and does hereby state as follows for its Motion for Deviation from the customer notice requirement contained in 807 KAR 5:011 Section 8 regarding notice to customers.

In support of this Motion, Salt River respectfully states as follows:

1. Salt River filed an electronic tariff filing for a new Rate EM- Earnings Mechanism – Retail Tariff in order to pass-through any credit amounts received from East Kentucky Power Cooperative, Inc. (“EKPC”) as a result of the Joint Stipulation and Settlement Agreement and the Final Order in Case No. 2021-00103,¹ to Salt River’s end-use members.

2. Salt River does not believe that this tariff filing requires customer notice, since a “charge, fee, condition of service, or rule regarding the provision of service” is not being added or changed. This tariff filing is simply a way to pass-through any credit amount that Salt River receives from EKPC as a result of the TIER Sharing Mechanism that resulted from EKPC’s wholesale rate proceeding.

¹ Case No. 2021-00103, *In the Matter of: Electronic Application of East Kentucky Power Cooperative, Inc., for a General Adjustment of Rates, Approval of Depreciation Study, Amortization of Certain Regulatory Assets and Other General Relief* (Ky. P.S.C. Sept. 30, 2021), Joint Stipulation and Settlement Agreement (filed July 29, 2021).

3. The new Rate EM tariff is based on EKPC's Rate EM tariff that was approved by the Commission in Case No. 2021-00429.²

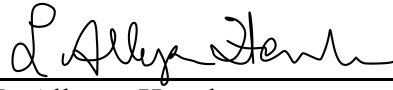
4. Although Salt River does not believe customer notice is required for this tariff filing, if the Commission disagrees with Salt River and believes that Salt River should have given customer notice of this tariff filing, Salt River requests the Commission to grant a deviation from the notice requirement contained in 807 KAR 5:011 Section 8. Providing customer notice would be a cost for Salt River to incur for a tariff filing that is only needed in order to have a mechanism in which to pass-through any TIER Sharing credit that it may receive from EKPC. None of Salt River's end-use members would pay any additional amount for electric service as a result of this tariff, but would instead possibly receive a credit on the end-use member's bill if the requirements for EKPC's TIER Sharing are met.

WHEREFORE, based on the foregoing, Salt River requests the Commission to grant it a deviation from the customer notice requirement in 807 KAR 5:011 Section 8.

Dated this 28th of March, 2023.

² Case No. 2021-00429, *In the Matter of: Electronic Tariff Filing of East Kentucky Power Cooperative, Inc., to Establish its Earnings Mechanism Tariff* (Ky. P.S.C. Mar. 29, 2022).

Respectfully submitted,

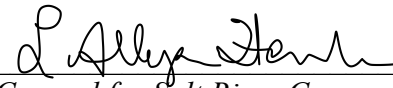


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Counsel for Salt River Cooperative Corp..

CERTIFICATE OF SERVICE

This is to certify that the foregoing electronic filing was transmitted to the Commission via the electronic tariff filing system on March 28, 2023; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; and that pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085, no paper copies of the filing will be made.



Counsel for Salt River Cooperative Corp..

Rate EM – Earnings Mechanism – Member Tariff

Applicability

In the service territory of Salt River Electric.

Availability

Available to retail members pursuant to Paragraph 6 of the Joint Stipulation, Settlement Agreement and Recommendation approved in East Kentucky Power Cooperative, Inc.’s (“EKPC”) base rate case, Case No. 2021-00103 and EKPC’s EM Tariff filing, Case No. 2021-00429.

Purpose

EKPC has committed to return any excess margins to its Owner-Member Cooperatives for contemporaneous pass-through to End-Use Retail Members (“retail members”) in the form of a bill credit in the event that EKPC achieves per-book margins in excess of a target TIER in any calendar year. Any excess margins to be returned will be allocated based upon the percentage of each EKPC rate class’s total revenue for the most recent calendar year. EKPC will make an annual filing with the Commission setting forth its calculations of margins and any required bill credit for the most recent calendar year on or before April 30th of the following year.

Methodology

Allocation of Excess Margins from EKPC. EKPC will determine the allocation of the excess margin for the most recent calendar year and will prepare and provide to Salt River Electric a schedule showing the allocation of the excess margin for the most recent calendar year by EKPC rate class.

Calculation of Bill Credit. Salt River Electric will calculate the bill credit applicable to its retail members in the following manner:

- a. Salt River Electric will determine which of its retail rate schedules correspond with the EKPC wholesale rate classes. Using the same calendar year as EKPC, Salt River Electric will determine the total revenues for the set of its rate schedules that correspond with each EKPC rate class.
- b. Salt River Electric will determine the percentage of the total revenues for each of its rate schedules that correspond with the applicable EKPC rate class.
- c. Salt River Electric will allocate the excess margin by EKPC rate class to its corresponding rate schedules by multiplying the allocated excess margin by EKPC rate class by the percentages determined in part b.

DATE OF ISSUE: March 28, 2023

DATE EFFECTIVE: Service rendered on and after
April 28, 2023

ISSUED BY/s/ Tim Sharp
TITLE: President & CEO



P.S.C. No. 12, Original Sheet No. 174
Canceling P.S.C. No. __, First Revised Sheet No. __

Rate EM – Earnings Mechanism – Member Tariff (Continued)

N

- d. Salt River Electric will calculate a “Bill Credit Percentage” for each of its retail rate schedules. The Bill Credit Percentage will be calculated by dividing the excess margin allocated to the retail rate schedule by the total revenues for that retail rate schedule used in part a. If there is only one retail member served by a Salt River Electric retail rate schedule, the excess margin allocated to the retail rate schedule will be the amount of the bill credit for that retail member.
- e. Utilizing its customer account information, Salt River Electric will apply the Bill Credit Percentage for each retail rate schedule to the total revenues provided by each retail member in the calendar year used by EKPC when determining the excess margins to calculate the bill credit for each retail member.
- f. Salt River Electric may elect to return the bill credit as a one-time credit on the retail member’s current bill or spread the bill credit over several billings. If the bill credit is spread over several billings, the payment of the bill credit will be completed by the end of the calendar year.



April 28, 2023

ISSUED BY/s/ Tim Sharp
TITLE: President & CEO

March 28, 2023

Ms. Linda C. Bridwell, P.E.
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, KY 40602

Via Electronic Tariff Filing System

Re: Electronic Tariff Filing of Shelby Energy Cooperative, Inc.

Dear Ms. Bridwell:

Enclosed, please find for filing, Shelby Energy Cooperative, Inc.'s ("Shelby Energy") Rate EM – Earnings Mechanism – Member Tariff, a Motion for Deviation and a calculation spreadsheet. This tariff filing is made pursuant to the Joint Stipulation and Settlement Agreement filed in Case No. 2021-00103,¹ East Kentucky Power Cooperative, Inc.'s ("EKPC") wholesale rate proceeding. Pursuant to the Joint Stipulation and Settlement Agreement, EKPC filed for approval of its Rate EM tariff in Case No. 2021-00429.² The Commission approved EKPC's Rate EM Tariff in that proceeding, with modifications, on March 29, 2022.

As part of the Joint Stipulation and Settlement Agreement, any TIER sharing that is passed from EKPC to its owner-members, then flows through from the sixteen EKPC owner-members to their end-use members. In order for that flow through to the end-use members to occur, each of the sixteen EKPC owner-members must have a Rate EM Tariff on file with the Commission. There is currently no such tariff on file for any of the sixteen EKPC owner-members.

The attached Rate EM Tariff has been drafted to be consistent with EKPC's Rate EM Tariff which has been approved by the Commission. Once EKPC determines the amount of the TIER Sharing for each owner-member, the owner-member will then use the

¹ Case No. 2021-00103, *In the Matter of: Electronic Application of East Kentucky Power Cooperative, Inc., for a General Adjustment of Rates, Approval of Depreciation Study, Amortization of Certain Regulatory Assets and Other General Relief* (Ky. P.S.C. Sept. 30, 2021), Joint Stipulation and Settlement Agreement (filed July 29, 2021).

² Case No. 2021-00429, *In the Matter of: Electronic Tariff Filing of East Kentucky Power Cooperative, Inc., to Establish its Earnings Mechanism Tariff* (Ky. P.S.C. Mar. 29, 2022).

percentages provided by EKPC to determine the percentage of the TIER Sharing that would flow through to each of its customer classes. The owner-member would then issue a bill credit to each of its current end-use members at the time of receiving the TIER Sharing from EKPC.

No customer notice was provided to the end-use members since this is not a rate that an end-use member can subscribe. This is simply a pass-through of any credit that is received by the owner-member from EKPC to the end-use members. If EKPC does not provide a TIER Sharing amount to the owner-member then no credit will be issued to the end-use member. If the Commission disagrees and believes that customer notice should have been given to the end-use members, a Motion for Deviation is also being filed with this tariff filing.

In addition to the Rate EM Tariff and the Motion for Deviation, an Excel spreadsheet is being provided for informational purposes only. This spreadsheet shows a sample calculation to be used by the owner-members to determine the amount of credit that would be passed through to each of its end-use members.

Please do not hesitate to contact me with any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Allyson Honaker". The signature is fluid and cursive, with a large initial "L" and a long, sweeping tail.

L. Allyson Honaker

Enclosures

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

ELECTRONIC TARIFF FILING OF SHELBY ENERGY COOPERATIVE, INC.

MOTION FOR DEVIATION

Comes now Shelby Energy Cooperative, Inc. (“Shelby Energy”) by and through the undersigned counsel, and does hereby state as follows for its Motion for Deviation from the customer notice requirement contained in 807 KAR 5:011 Section 8 regarding notice to customers.

In support of this Motion, Shelby Energy respectfully states as follows:

1. Shelby Energy filed an electronic tariff filing for a new Rate EM- Earnings Mechanism – Retail Tariff in order to pass-through any credit amounts received from East Kentucky Power Cooperative, Inc. (“EKPC”) as a result of the Joint Stipulation and Settlement Agreement and the Final Order in Case No. 2021-00103,¹ to Shelby Energy’s end-use members.

2. Shelby Energy does not believe that this tariff filing requires customer notice, since a “charge, fee, condition of service, or rule regarding the provision of service” is not being added or changed. This tariff filing is simply a way to pass-through any credit amount that Shelby Energy receives from EKPC as a result of the TIER Sharing Mechanism that resulted from EKPC’s wholesale rate proceeding.

¹ Case No. 2021-00103, *In the Matter of: Electronic Application of East Kentucky Power Cooperative, Inc., for a General Adjustment of Rates, Approval of Depreciation Study, Amortization of Certain Regulatory Assets and Other General Relief* (Ky. P.S.C. Sept. 30, 2021), Joint Stipulation and Settlement Agreement (filed July 29, 2021).

3. The new Rate EM tariff is based on EKPC's Rate EM tariff that was approved by the Commission in Case No. 2021-00429.²

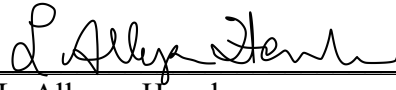
4. Although Shelby Energy does not believe customer notice is required for this tariff filing, if the Commission disagrees with Shelby Energy and believes that Shelby Energy should have given customer notice of this tariff filing, Shelby Energy requests the Commission to grant a deviation from the notice requirement contained in 807 KAR 5:011 Section 8. Providing customer notice would be a cost for Shelby Energy to incur for a tariff filing that is only needed in order to have a mechanism in which to pass-through any TIER Sharing credit that it may receive from EKPC. None of Shelby Energy's end-use members would pay any additional amount for electric service as a result of this tariff, but would instead possibly receive a credit on the end-use member's bill if the requirements for EKPC's TIER Sharing are met.

WHEREFORE, based on the foregoing, Shelby Energy requests the Commission to grant it a deviation from the customer notice requirement in 807 KAR 5:011 Section 8.

Dated this 28th of March, 2023.

² Case No. 2021-00429, *In the Matter of: Electronic Tariff Filing of East Kentucky Power Cooperative, Inc., to Establish its Earnings Mechanism Tariff* (Ky. P.S.C. Mar. 29, 2022).

Respectfully submitted,



L. Allyson Honaker
HONAKER LAW OFFICE, PLLC
1795 Alysheba Way, Suite 6202
Lexington, Kentucky 40509
(859) 368-8803
allyson@hloky.com

Counsel for Shelby Energy Cooperative, Inc.

CERTIFICATE OF SERVICE

This is to certify that the foregoing electronic filing was transmitted to the Commission via the electronic tariff filing system on March 28, 2023; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; and that pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085, no paper copies of the filing will be made.



Counsel for Shelby Energy Cooperative, Inc.

Shelby Energy Cooperative, Inc.

Rate EM – Earnings Mechanism – Member Tariff

N

Applicability

In the service territory of Shelby Energy Cooperative, Inc. (“Shelby Energy”).

Availability

Available to retail members pursuant to Paragraph 6 of the Joint Stipulation, Settlement Agreement and Recommendation approved in East Kentucky Power Cooperative, Inc.’s (“EKPC”) base rate case, Case No. 2021-00103 and EKPC’s EM Tariff filing, Case No. 2021-00429.

Purpose

EKPC has committed to return any excess margins to its Owner-Member Cooperatives for contemporaneous pass-through to End-Use Retail Members (“retail members”) in the form of a bill credit in the event that EKPC achieves per-book margins in excess of a target TIER in any calendar year. Any excess margins to be returned will be allocated based upon the percentage of each EKPC rate class’s total revenue for the most recent calendar year. EKPC will make an annual filing with the Commission setting forth its calculations of margins and any required bill credit for the most recent calendar year on or before April 30th of the following year.

Methodology

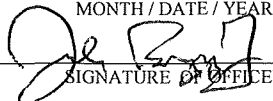
Allocation of Excess Margins from EKPC. EKPC will determine the allocation of the excess margin for the most recent calendar year and will prepare and provide to Shelby Energy a schedule showing the allocation of the excess margin for the most recent calendar year by EKPC rate class.

Calculation of Bill Credit. Shelby Energy will calculate the bill credit applicable to its retail members in the following manner:

- a. Shelby Energy will determine which of its retail rate schedules correspond with the EKPC wholesale rate classes. Using the same calendar year as EKPC, Shelby Energy will determine the total revenues for the set of its rate schedules that correspond with each EKPC rate class.
- b. Shelby Energy will determine the percentage of the total revenues for each of its rate schedules that correspond with the applicable EKPC rate class.

DATE OF ISSUE March 28, 2023
MONTH / DATE / YEAR

DATE EFFECTIVE April 28, 2023
MONTH / DATE / YEAR

ISSUED BY 
SIGNATURE OF OFFICER

TITLE President & CEO

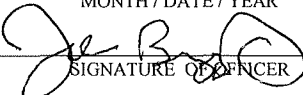
Shelby Energy Cooperative, Inc.

- c. Shelby Energy will allocate the excess margin by EKPC rate class to its corresponding rate schedules by multiplying the allocated excess margin by EKPC rate class by the percentages determined in part b.
- d. Shelby Energy will calculate a “Bill Credit Percentage” for each of its retail rate schedules. The Bill Credit Percentage will be calculated by dividing the excess margin allocated to the retail rate schedule by the total revenues for that retail rate schedule used in part a. If there is only one retail member served by a Shelby Energy retail rate schedule, the excess margin allocated to the retail rate schedule will be the amount of the bill credit for that retail member.
- e. Utilizing its customer account information, Shelby Energy will apply the Bill Credit Percentage for each retail rate schedule to the total revenues provided by each retail member in the calendar year used by EKPC when determining the excess margins to calculate the bill credit for each retail member.
- f. Shelby Energy may elect to return the bill credit as a one-time credit on the retail member’s current bill or spread the bill credit over several billings. If the bill credit is spread over several billings, the payment of the bill credit will be completed by the end of the calendar year.

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DATE OF ISSUE March 28, 2023
MONTH / DATE / YEAR

DATE EFFECTIVE April 28, 2023
MONTH / DATE / YEAR

ISSUED BY 
SIGNATURE OF OFFICER

TITLE President & CEO

March 28, 2023

Ms. Linda C. Bridwell, P.E.
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, KY 40602

Via Electronic Tariff Filing System

Re: Electronic Tariff Filing of South Kentucky Rural Electric Cooperative Corporation

Dear Ms. Bridwell:

Enclosed, please find for filing, South Kentucky Rural Electric Cooperative Corporation's ("South Kentucky RECC") Rate EM – Earnings Mechanism – Member Tariff, a Motion for Deviation and a calculation spreadsheet. This tariff filing is made pursuant to the Joint Stipulation and Settlement Agreement filed in Case No. 2021-00103,¹ East Kentucky Power Cooperative, Inc's ("EKPC") wholesale rate proceeding. Pursuant to the Joint Stipulation and Settlement Agreement, EKPC filed for approval of its Rate EM tariff in Case No. 2021-00429.² The Commission approved EKPC's Rate EM Tariff in that proceeding, with modifications, on March 29, 2022.

As part of the Joint Stipulation and Settlement Agreement, any TIER sharing that is passed from EKPC to its owner-members, then flows through from the sixteen EKPC owner-members to their end-use members. In order for that flow through to the end-use members to occur, each of the sixteen EKPC owner-members must have a Rate EM Tariff on file with the Commission. There is currently no such tariff on file for any of the sixteen EKPC owner-members.

The attached Rate EM Tariff has been drafted to be consistent with EKPC's Rate EM Tariff which has been approved by the Commission. Once EKPC determines the

¹ Case No. 2021-00103, *In the Matter of: Electronic Application of East Kentucky Power Cooperative, Inc., for a General Adjustment of Rates, Approval of Depreciation Study, Amortization of Certain Regulatory Assets and Other General Relief* (Ky. P.S.C. Sept. 30, 2021), Joint Stipulation and Settlement Agreement (filed July 29, 2021).

² Case No. 2021-00429, *In the Matter of: Electronic Tariff Filing of East Kentucky Power Cooperative, Inc., to Establish its Earnings Mechanism Tariff* (Ky. P.S.C. Mar. 29, 2022).

amount of the TIER Sharing for each owner-member, the owner-member will then use the percentages provided by EKPC to determine the percentage of the TIER Sharing that would flow through to each of its customer classes. The owner-member would then issue a bill credit to each of its current end-use members at the time of receiving the TIER Sharing from EKPC.

No customer notice was provided to the end-use members since this is not a rate that an end-use member can subscribe. This is simply a pass-through of any credit that is received by the owner-member from EKPC to the end-use members. If EKPC does not provide a TIER Sharing amount to the owner-member then no credit will be issued to the end-use member. If the Commission disagrees and believes that customer notice should have been given to the end-use members, a Motion for Deviation is also being filed with this tariff filing.

In addition to the Rate EM Tariff and the Motion for Deviation, an Excel spreadsheet is being provided for informational purposes only. This spreadsheet shows a sample calculation to be used by the owner-members to determine the amount of credit that would be passed through to each of its end-use members.

Please do not hesitate to contact me with any questions or concerns.

Sincerely,



L. Allyson Honaker

Enclosures

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

ELECTRONIC TARIFF FILING OF SOUTH KENTUCKY RURAL ELECTRIC
COOPERATIVE CORPORATION

MOTION FOR DEVIATION

Comes now South Kentucky Rural Electric Cooperative Corporation (“South Kentucky RECC”) by and through the undersigned counsel, and does hereby state as follows for its Motion for Deviation from the customer notice requirement contained in 807 KAR 5:011 Section 8 regarding notice to customers. In support of this Motion, South Kentucky RECC respectfully states as follows:

1. South Kentucky RECC filed an electronic tariff filing for a new Rate EM- Earnings Mechanism – Retail Tariff in order to pass-through any credit amounts received from East Kentucky Power Cooperative, Inc. (“EKPC”) as a result of the Joint Stipulation and Settlement Agreement and the Final Order in Case No. 2021-00103,¹ to South Kentucky RECC’s end-use members.

2. South Kentucky RECC does not believe that this tariff filing requires customer notice, since a “charge, fee, condition of service, or rule regarding the provision of service” is not being added or changed. This tariff filing is simply a way to pass-through any credit amount that

¹ Case No. 2021-00103, *In the Matter of: Electronic Application of East Kentucky Power Cooperative, Inc., for a General Adjustment of Rates, Approval of Depreciation Study, Amortization of Certain Regulatory Assets and Other General Relief* (Ky. P.S.C. Sept. 30, 2021), Joint Stipulation and Settlement Agreement (filed July 29, 2021).

South Kentucky RECC receives from EKPC as a result of the TIER Sharing Mechanism that resulted from EKPC's wholesale rate proceeding.

3. The new Rate EM tariff is based on EKPC's Rate EM tariff that was approved by the Commission in Case No. 2021-00429.²

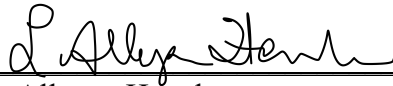
4. Although South Kentucky RECC does not believe customer notice is required for this tariff filing, if the Commission disagrees with South Kentucky RECC and believes that South Kentucky RECC should have given customer notice of this tariff filing, South Kentucky RECC requests the Commission to grant a deviation from the notice requirement contained in 807 KAR 5:011 Section 8. Providing customer notice would be a cost for South Kentucky RECC to incur for a tariff filing that is only needed in order to have a mechanism in which to pass-through any TIER Sharing credit that it may receive from EKPC. None of South Kentucky RECC's end-use members would pay any additional amount for electric service as a result of this tariff, but would instead possibly receive a credit on the end-use member's bill if the requirements for EKPC's TIER Sharing are met.

WHEREFORE, based on the foregoing, South Kentucky RECC requests the Commission to grant it a deviation from the customer notice requirement in 807 KAR 5:011 Section 8.

Dated this 28th of March, 2023.

² Case No. 2021-00429, *In the Matter of: Electronic Tariff Filing of East Kentucky Power Cooperative, Inc., to Establish its Earnings Mechanism Tariff* (Ky. P.S.C. Mar. 29, 2022).

Respectfully submitted,



L. Allyson Honaker
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allyson@hloky.com

Counsel for South Kentucky RECC

CERTIFICATE OF SERVICE

This is to certify that the foregoing electronic filing was transmitted to the Commission via the electronic tariff filing system on March 28, 2023; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; and that pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085, no paper copies of the filing will be made.



Counsel for South Kentucky RECC

CLASSIFICATION OF SERVICE

(N)

EARNINGS MECHANISM-MEMBER TARIFF

SCHEDULE EM

Applicability

In the service territory of South Kentucky R.E.C.C.

Availability

Available to retail members pursuant to Paragraph 6 of the Joint Stipulation, Settlement Agreement and Recommendation approved in East Kentucky Power Cooperative, Inc.'s ("EKPC") base rate case, Case No. 2021-00103 and EKPC's EM Tariff filing, Case No. 2021-00429.

Purpose

EKPC has committed to return any excess margins to its Owner-Member Cooperatives for contemporaneous pass-through to End-Use Retail Members ("retail members") in the form of a bill credit in the event that EKPC achieves per-book margins in excess of a target TIER in any calendar year. Any excess margins to be returned will be allocated based upon the percentage of each EKPC rate class's total revenue for the most recent calendar year. EKPC will make an annual filing with the Commission setting forth its calculations of margins and any required bill credit for the most recent calendar year on or before April 30th of the following year.

Methodology

Allocation of Excess Margins from EKPC. EKPC will determine the allocation of the excess margin for the most recent calendar year and will prepare and provide to South Kentucky R.E.C.C. a schedule showing the allocation of the excess margin for the most recent calendar year by EKPC rate class.


Calculation of Bill Credit. South Kentucky R.E.C.C. will calculate the bill credit applicable to its retail members in the following manner:

- a. South Kentucky R.E.C.C. will determine which of its retail rate schedules correspond with the EKPC wholesale rate classes. Using the same calendar year as EKPC, South Kentucky R.E.C.C. will determine the total revenues for the set of its rate schedules that correspond with each EKPC rate class.
- b. South Kentucky R.E.C.C. will determine the percentage of the total revenues for each of its rate schedules that correspond with the applicable EKPC rate class.

DATE OF ISSUE: March 28, 2023

DATE EFFECTIVE: April 28, 2023

ISSUED BY: /s/ Kenneth E. Simmons,
President & Chief Executive Officer

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- (N)
- c. South Kentucky R.E.C.C. will allocate the excess margin by EKPC rate class to its corresponding rate schedules by multiplying the allocated excess margin by EKPC rate class by the percentages determined in part b.
 - d. South Kentucky R.E.C.C. will calculate a “Bill Credit Percentage” for each of its retail rate schedules. The Bill Credit Percentage will be calculated by dividing the excess margin allocated to the retail rate schedule by the total revenues for that retail rate schedule used in part a. If there is only one retail member served by a South Kentucky R.E.C.C. retail rate schedule, the excess margin allocated to the retail rate schedule will be the amount of the bill credit for that retail member.
 - e. Utilizing its customer account information, South Kentucky R.E.C.C. will apply the Bill Credit Percentage for each retail rate schedule to the total revenues provided by each retail member in the calendar year used by EKPC when determining the excess margins to calculate the bill credit for each retail member.
 - f. South Kentucky R.E.C.C. may elect to return the bill credit as a one-time credit on the retail member’s current bill or spread the bill credit over several billings. If the bill credit is spread over several billings, the payment of the bill credit will be completed by the end of the calendar year.
- 

DATE OF ISSUE: March 28, 2023

DATE EFFECTIVE: April 28, 2023

ISSUED BY: /s/ Kenneth E. Simmons,
President & Chief Executive Officer

March 28, 2023

Ms. Linda C. Bridwell, P.E.
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, KY 40602

Via Electronic Tariff Filing System

Re: Electronic Tariff Filing of Taylor County Rural Electric Cooperative Corporation

Dear Ms. Bridwell:

Enclosed, please find for filing, Taylor County Rural Electric Cooperative Corporation's ("Taylor County RECC") Rate EM – Earnings Mechanism – Member Tariff, a Motion for Deviation and a calculation spreadsheet. This tariff filing is made pursuant to the Joint Stipulation and Settlement Agreement filed in Case No. 2021-00103,¹ East Kentucky Power Cooperative, Inc's ("EKPC") wholesale rate proceeding. Pursuant to the Joint Stipulation and Settlement Agreement, EKPC filed for approval of its Rate EM tariff in Case No. 2021-00429.² The Commission approved EKPC's Rate EM Tariff in that proceeding, with modifications, on March 29, 2022.

As part of the Joint Stipulation and Settlement Agreement, any TIER sharing that is passed from EKPC to its owner-members, then flows through from the sixteen EKPC owner-members to their end-use members. In order for that flow through to the end-use members to occur, each of the sixteen EKPC owner-members must have a Rate EM Tariff on file with the Commission. There is currently no such tariff on file for any of the sixteen EKPC owner-members.

The attached Rate EM Tariff has been drafted to be consistent with EKPC's Rate EM Tariff which has been approved by the Commission. Once EKPC determines the

¹ Case No. 2021-00103, *In the Matter of: Electronic Application of East Kentucky Power Cooperative, Inc., for a General Adjustment of Rates, Approval of Depreciation Study, Amortization of Certain Regulatory Assets and Other General Relief* (Ky. P.S.C. Sept. 30, 2021), Joint Stipulation and Settlement Agreement (filed July 29, 2021).

² Case No. 2021-00429, *In the Matter of: Electronic Tariff Filing of East Kentucky Power Cooperative, Inc., to Establish its Earnings Mechanism Tariff* (Ky. P.S.C. Mar. 29, 2022).

amount of the TIER Sharing for each owner-member, the owner-member will then use the percentages provided by EKPC to determine the percentage of the TIER Sharing that would flow through to each of its customer classes. The owner-member would then issue a bill credit to each of its current end-use members at the time of receiving the TIER Sharing from EKPC.

No customer notice was provided to the end-use members since this is not a rate that an end-use member can subscribe. This is simply a pass-through of any credit that is received by the owner-member from EKPC to the end-use members. If EKPC does not provide a TIER Sharing amount to the owner-member then no credit will be issued to the end-use member. If the Commission disagrees and believes that customer notice should have been given to the end-use members, a Motion for Deviation is also being filed with this tariff filing.

In addition to the Rate EM Tariff and the Motion for Deviation, an Excel spreadsheet is being provided for informational purposes only. This spreadsheet shows a sample calculation to be used by the owner-members to determine the amount of credit that would be passed through to each of its end-use members.

Please do not hesitate to contact me with any questions or concerns.

Sincerely,



L. Allyson Honaker

Enclosures

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

ELECTRONIC TARIFF FILING OF TAYLOR COUNTY RURAL ELECTRIC
COOPERATIVE CORPORATION

MOTION FOR DEVIATION

Comes now Taylor County Rural Electric Cooperative Corporation (“Taylor County RECC”) by and through the undersigned counsel, and does hereby state as follows for its Motion for Deviation from the customer notice requirement contained in 807 KAR 5:011 Section 8 regarding notice to customers. In support of this Motion, Taylor County RECC respectfully states as follows:

1. Taylor County RECC filed an electronic tariff filing for a new Rate EM- Earnings Mechanism – Retail Tariff in order to pass-through any credit amounts received from East Kentucky Power Cooperative, Inc. (“EKPC”) as a result of the Joint Stipulation and Settlement Agreement and the Final Order in Case No. 2021-00103,¹ to Taylor County RECC’s end-use members.

2. Taylor County RECC does not believe that this tariff filing requires customer notice, since a “charge, fee, condition of service, or rule regarding the provision of service” is not being added or changed. This tariff filing is simply a way to pass-through any credit amount that

¹ Case No. 2021-00103, *In the Matter of: Electronic Application of East Kentucky Power Cooperative, Inc., for a General Adjustment of Rates, Approval of Depreciation Study, Amortization of Certain Regulatory Assets and Other General Relief* (Ky. P.S.C. Sept. 30, 2021), Joint Stipulation and Settlement Agreement (filed July 29, 2021).

Taylor County RECC receives from EKPC as a result of the TIER Sharing Mechanism that resulted from EKPC's wholesale rate proceeding.

3. The new Rate EM tariff is based on EKPC's Rate EM tariff that was approved by the Commission in Case No. 2021-00429.²


4. Although Taylor County RECC does not believe customer notice is required for this tariff filing, if the Commission disagrees with Taylor County RECC and believes that Taylor County RECC should have given customer notice of this tariff filing, Taylor County RECC requests the Commission to grant a deviation from the notice requirement contained in 807 KAR 5:011 Section 8. Providing customer notice would be a cost for Taylor County RECC to incur for a tariff filing that is only needed in order to have a mechanism in which to pass-through any TIER Sharing credit that it may receive from EKPC. None of Taylor County RECC's end-use members would pay any additional amount for electric service as a result of this tariff, but would instead possibly receive a credit on the end-use member's bill if the requirements for EKPC's TIER Sharing are met.

WHEREFORE, based on the foregoing, Taylor County RECC requests the Commission to grant it a deviation from the customer notice requirement in 807 KAR 5:011 Section 8.

Dated this 28th of March, 2023.

² Case No. 2021-00429, *In the Matter of: Electronic Tariff Filing of East Kentucky Power Cooperative, Inc., to Establish its Earnings Mechanism Tariff* (Ky. P.S.C. Mar. 29, 2022).

Respectfully submitted,



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allyson@hloky.com

Counsel for Taylor County RECC

CERTIFICATE OF SERVICE

This is to certify that the foregoing electronic filing was transmitted to the Commission via the electronic tariff filing system on March 28, 2023; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; and that pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085, no paper copies of the filing will be made.



Counsel for Taylor County RECC

Taylor County Rural Electric Cooperative Corporation

Rate EM – Earnings Mechanism – Member Tariff

N

Applicability

In the service territory of Taylor County Rural Electric Cooperative Corporation (“Taylor County RECC”).

Availability

Available to retail members pursuant to Paragraph 6 of the Joint Stipulation, Settlement Agreement and Recommendation approved in East Kentucky Power Cooperative, Inc.’s (“EKPC”) base rate case, Case No. 2021-00103 and EKPC’s EM Tariff filing, Case No. 2021-00429.

Purpose

EKPC has committed to return any excess margins to its Owner-Member Cooperatives for contemporaneous pass-through to End-Use Retail Members (“retail members”) in the form of a bill credit in the event that EKPC achieves per-book margins in excess of a target TIER in any calendar year. Any excess margins to be returned will be allocated based upon the percentage of each EKPC rate class’s total revenue for the most recent calendar year. EKPC will make an annual filing with the Commission setting forth its calculations of margins and any required bill credit for the most recent calendar year on or before April 30th of the following year.

Methodology

Allocation of Excess Margins from EKPC. EKPC will determine the allocation of the excess margin for the most recent calendar year and will prepare and provide to Taylor County RECC a schedule showing the allocation of the excess margin for the most recent calendar year by EKPC rate class.

Calculation of Bill Credit. Taylor County RECC will calculate the bill credit applicable to its retail members in the following manner:

- a. Taylor County RECC will determine which of its retail rate schedules correspond with the EKPC wholesale rate classes. Using the same calendar year as EKPC, Taylor County RECC will determine the total revenues for the set of its rate schedules that correspond with each EKPC rate class.

DATE OF ISSUE March 28, 2023
MONTH / DATE / YEAR

DATE EFFECTIVE April 28, 2023
MONTH / DATE / YEAR

ISSUED BY JRC W
SIGNATURE OF OFFICER

TITLE Chief Executive Officer

Taylor County Rural Electric Cooperative Corporation

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- b. Taylor County RECC will determine the percentage of the total revenues for each of its rate schedules that correspond with the applicable EKPC rate class.
 - c. Taylor County RECC will allocate the excess margin by EKPC rate class to its corresponding rate schedules by multiplying the allocated excess margin by EKPC rate class by the percentages determined in part b.
 - d. Taylor County RECC will calculate a “Bill Credit Percentage” for each of its retail rate schedules. The Bill Credit Percentage will be calculated by dividing the excess margin allocated to the retail rate schedule by the total revenues for that retail rate schedule used in part a. If there is only one retail member served by a Taylor County RECC retail rate schedule, the excess margin allocated to the retail rate schedule will be the amount of the bill credit for that retail member.
 - e. Utilizing its customer account information, Taylor County RECC will apply the Bill Credit Percentage for each retail rate schedule to the total revenues provided by each retail member in the calendar year used by EKPC when determining the excess margins to calculate the bill credit for each retail member.
 - f. Taylor County RECC may elect to return the bill credit as a one-time credit on the retail member’s current bill or spread the bill credit over several billings. If the bill credit is spread over several billings, the payment of the bill credit will be completed by the end of the calendar year.

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DATE OF ISSUE March 28, 2023
MONTH / DATE / YEAR

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MONTH / DATE / YEAR

ISSUED BY 
SIGNATURE OF OFFICER

TITLE Chief Executive Officer