

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF EAST	)	
KENTUCKY POWER COOPERATIVE, INC. FOR	)	
APPROVAL TO AMEND ITS ENVIRONMENTAL	)	
COMPLIANCE PLAN AND RECOVER COSTS	)	CASE NO.
PURSUANT TO ITS ENVIRONMENTAL	)	2024-00109
SURCHARGE, AND FOR THE ISSUANCE OF A	)	
CERTIFICATE OF PUBLIC CONVENIENCE AND	)	
NECESSITY AND OTHER GENERAL RELIEF	)	

COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION  
TO EAST KENTUCKY POWER COOPERATIVE, INC.

East Kentucky Power Cooperative, Inc. (EKPC), pursuant to 807 KAR 5:001, shall file with the Commission an electronic version of the following information. The information requested is due on July 16, 2024. The Commission directs EKPC to the Commission's July 22, 2021 Order in Case No. 2020-00085<sup>1</sup> regarding filings with the Commission. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked.

Each response shall include the question to which the response is made and shall include the name of the witness responsible for responding to the questions related to the information provided. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or the

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<sup>1</sup> Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC July 22, 2021), Order (in which the Commission ordered that for case filings made on and after March 16, 2020, filers are NOT required to file the original physical copies of the filings required by 807 KAR 5:001, Section 8).

person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

EKPC shall make timely amendment to any prior response if EKPC obtains information that indicates the response was incorrect or incomplete when made or, though correct or complete when made, is now incorrect or incomplete in any material respect.

For any request to which EKPC fails or refuses to furnish all or part of the requested information, EKPC shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

Careful attention shall be given to copied and scanned material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request. When applicable, the requested information shall be separately provided for total company operations and jurisdictional operations. When filing a paper containing personal information, EKPC shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read.

1. Refer to the Application, Exhibit 3, Direct Testimony of Jarrad Burton (Burton Direct Testimony), Attachment JB-1, EKPC Landfill Management Plan, page 4. Provide support for the cost estimates of non-compliance.

2. Refer to the Burton Direct Testimony, Attachment JB-1, EKPC Landfill Management Plan, page 7. Provide support for the estimates of future capacity needs.

3. Refer to the Burton Direct Testimony, Attachment JB-1, EKPC Landfill Management Plan, page 8 of the EKPC Landfill Management Plan. What is the basis for the assumption that EKPC does not anticipate any changes in the forthcoming regulations regarding liner system or leachate collection design due to probable changes to Chapter 45 Special Waste Permits?

4. Refer to the Burton Direct Testimony, Attachment JB-1, EKPC Landfill Management Plan, page 9 and Attachment JB-5. Provide support for each of the estimated costs listed in the table.

5. Refer to the Burton Direct Testimony, Attachment JB-1, EKPC Landfill Management Plan, page 9.

a. Provide support for the estimated \$50 per cubic yard cost to dispose of coal combustion residual waste at an off-site landfill.

b. Provide support for the estimated cost increase of \$48,984,000 if sufficient capacity at the Spurlock Landfill is not maintained.

6. Refer to the Application, Exhibit 7, Direct Testimony of Jacob Watson (Watson Direct Testimony), Attachment JRW-3, Residential Impact. Provide an explanation and support for line 44 in the Excel spreadsheet – historic relationship between Retail and Wholesale Surcharge Factors.

7. Refer to the Watson Direct Testimony, page. Provide an explanation of the Base Environmental Surcharge Factor (BESF) and support the rationale of why EKPC has determined that an updated BESF will not be reflected in the Rate-ES Environmental surcharge tariff.

8. Refer to the Application, page 8 paragraph 16. Explain how EKPC plans to comply with the recently enacted EPA Rule 111d requiring a 90 percent reduction of carbon dioxide emissions by 2032.

9. Refer to Case No. 2023-00177, Direct Testimony of Joe VonDerHaar, Semi-Annual Report pursuant to the Commission's Order Dated January 11, 2024,<sup>2</sup> filed on June 20, 2024,<sup>3</sup> as associated with the beneficial use of the Spurlock Station's fly ash, bottom ash, and gypsum. Provide the three complete responses to the EKPC RFP for the beneficial use of the Spurlock Unit 1 and 2 gypsum. Include in the response the evaluation of the responses and related rankings.

10. For each of the four Spurlock Units, provide a summary of the major availability detractors for the year 2023.

11. Provide the planned shutdown and decommissioning schedule for each of the four Spurlock Units.

12. Provide a copy of EKPC's most recent Integrated Resource Plan (IRP).



Linda C. Bridwell, PE  
Executive Director  
Public Service Commission  
P.O. Box 615  
Frankfort, KY 40602

DATED     JUN 26 2024    

cc: Parties of Record

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<sup>2</sup> Case No. 2023-00177, *Electronic Application of East Kentucky Power Cooperative, Inc. for Approval to Amend Its Environmental Compliance Plan and Recover Costs Pursuant to Its Environmental Surcharge, and for Issuance of Certificates of Public Convenience and Necessity and Other Relief* (Ky. PSC Jan. 11, 2024).

<sup>3</sup> Order (Ky. PSC June 11, 2024), ordering paragraph 1.

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