

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF EAST)	
KENTUCKY POWER COOPERATIVE, INC. FOR A)	
GENERAL ADJUSTMENT OF RATES, APPROVAL)	CASE NO.
OF DEPRECIATION STUDY, AMORTIZATION OF)	2025-00208
CERTAIN REGULATORY ASSETS, AND OTHER)	
GENERAL RELIEF)	

ORDER

On November 24, 2025, East Kentucky Power Cooperative, Inc. (EKPC), the Attorney General through the Office of Rate Intervention (Attorney General), and Nucor Steel Galatin (Nucor) (collectively, Joint Movants) filed a joint motion to excuse witnesses or allow virtual participation.¹ Joint Movants contemporaneously filed a Joint Stipulation, Settlement Agreement, and Recommendation with the motion, which provided a settlement of all the issues raised in this proceeding.² Joint Movants requested that the majority of witnesses that provided testimony, schedules, or responses to requests for information be excused from the December 8, 2025 hearing due to the settlement agreement between the parties.³ EKPC requested Anthony S. Campbell, Darrin Adams, Michelle K. Carpenter, Gregory H. Cecil, Denise Foster Cronin, Craig Johnson, Barry Lindeman, Jerry Purvis, Kyle Shadoan, John J. Spanos, Thomas J. Stachnik, Jeffery W.

¹ Joint Motion to Excuse Witness or Allow Virtual Participation (Motion) (filed Nov. 24, 2025).

² Joint Stipulation, Settlement Agreement and Recommendation (Settlement and Stipulation) (filed Nov. 24, 2025).

³ Motion at 2.

Wernert, Jr., Denver York, and Brad Young to be excused from the December 8, 2025 hearing.⁴ The Attorney General and Nucor requested joint witnesses Stephen J. Baron, Randy A. Futral, and Lane Kollen be excused from the December 8, 2025 hearing, or, in the alternative, requested they be permitted to testify virtually, if their testimony was necessary.⁵ Joint Movants argued that the settlement represented a complete resolution of all issues in the proceeding, and therefore, the excusal of all requested witnesses would not prejudice the Commission nor any other party.⁶

Having considered the record and being otherwise sufficiently advised, the Commission finds that the Joint Movants' motion should be granted, in part, and denied, in part. The Commission denies the Attorney General and Nucor's motion to excuse the joint witnesses. However, the Commission grants Stephen J. Baron, Randy A. Futral, and Lane Kollen the option to testify virtually. As to EKPC's witnesses, the Commission finds that John J. Spanos and Jeffery W. Wernert, Jr. should not be excused but granted the option to testify virtually at the December 8, 2025 hearing. The Commission will address all other witnesses in a separate Order prior to the December 8, 2025 hearing.

Finally, EKPC filed supplemental testimony of Cliff Scott, Executive Vice President and Chief Financial Officer of EKPC, and Jacob R. Watson, Manager of Rates and Regulatory for EKPC (Supplemental Testimony), "...supporting the reasonableness of the November 24, 2025, Stipulation, Settlement Agreement and Recommendation (Stipulation)." If not already addressed in the Supplemental Testimony, the Commission

⁴ Motion at 2.

⁵ Motion at 2.

⁶ Motion at 2.

expects EKPC to be prepared to address any and all issues raised by the Stipulation, including issues related to the pass through of the Symmetrical Earnings Mechanism (SEM) to and through EKPC's Owner-Members. The Commission presumes that Mr. Scott or Mr. Watson will address these issues, but if not, the Commission recommends EKPC ensure that the administrative record is complete, including seeking to make John Wolfram available to testify at the hearing.


IT IS THEREFORE ORDERED that:

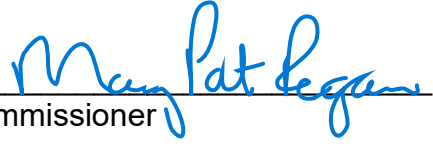
1. Joint Movants' motion is granted, in part, and denied, in part. All items not addressed in this Order will be addressed in a separate Order.
2. The Joint Movants' motion for virtual participation, for the Attorney General and Nucor witnesses, is granted.
3. The Joint Movants' motion for excusal of Attorney General and Nucor's witnesses Stephen J. Baron, Randy A. Futral, and Lane Kollen is denied.
4. The Joint Movants' motion for excusal of John Spanos and Jeffrey Wernert is denied.
5. John J. Spanos, Jeffery W. Wernert, Jr., Stephen J. Baron, Randy A. Futral, and Lane Kollen are permitted to appear virtually at the December 8, 2025 hearing.
6. The Commission will address the remainder of Joint Movants' motion in a separate Order to be issued prior to the December 8, 2025 hearing.
7. Commission Staff shall contact parties with instructions on participating virtually.

8. Any party whose witness has been authorized to appear remotely shall contact Commission Staff by December 4, 2025, to confirm witness's virtual or in-person participation.

PUBLIC SERVICE COMMISSION


Chairman


Commissioner


Commissioner

ATTEST:

 
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