

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF FLEMING-	)	
MASON ENERGY COOPERATIVE, INC. FOR	)	CASE NO.
PASS-THROUGH OF EAST KENTUCKY POWER	)	2025-00224
COOPERATIVE, INC.'S WHOLESALE RATE	)	
ADJUSTMENT	)	

ORDER

On August 1, 2025, Fleming-Mason Energy Cooperative, Inc. (Fleming-Mason Energy) filed an application to pass through any wholesale rate adjustment granted to its wholesale supplier, East Kentucky Power Cooperative, Inc. (EKPC), in Case No. 2025-00208.¹ Fleming-Mason Energy submitted its application pursuant to the authority of KRS 278.455(2) and proposed that the new rates become effective on September 1, 2025.

By Order entered August 14, 2025, in Case No. 2025-00208, the Commission explained that EKPC's rate application was deemed filed as of August 1, 2025.² Additionally, based on the periods set forth in KRS 278.180(1), which requires 30 days' notice to the Commission before a change in utility rates, and KRS 278.190(2), which permits the Commission to suspend the effective date of the proposed rates for five

¹ Case No. 2025-00208, *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* (filed Aug. 1, 2025).

² Case No. 2025-00208, Aug. 14, 2025 Order.

months, the Commission suspended the effective date of EKPC's proposed rates up to and including January 31, 2026.

KRS 278.455(2) provides that the rates of a distribution cooperative shall become effective on the same date as those of its wholesale supplier. Consequently, Fleming-Mason Energy's proposed rates may not become effective until the Commission renders a decision on EKPC's proposed rates or until EKPC's rates become effective as a matter of law. Therefore, the Commission will suspend the effective date of Fleming-Mason Energy's proposed rates up to and including January 31, 2026.

The Commission further finds that a procedural schedule should be established to review the reasonableness of the proposed rates. The procedural schedule is attached hereto as an Appendix to this Order and is incorporated herein.

IT IS THEREFORE ORDERED that:

1. Fleming-Mason Energy's proposed rates are suspended for five months, up to and including January 31, 2026.
2. The procedural schedule set forth in the Appendix to this Order shall be followed.
3. Fleming-Mason Energy shall respond to all requests for information propounded by Commission Staff, whether identified on the procedural schedule or otherwise, as provided in those requests.
4. Any party filing a paper with the Commission shall file an electronic copy in accordance with the electronic filing procedures set forth in 807 KAR 5:001, Section 8. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked. The Commission directs the parties to the

Commission's July 22, 2021 Order in Case No. 2020-00085³ regarding filings with the Commission.

5. As set forth in 807 KAR 5:001, Section 4(11)(a), a person requesting permissive intervention in a Commission proceeding is required to demonstrate either (1) a special interest in the proceeding that is not adequately represented in the case, or (2) that the person requesting permissive intervention is likely to present issues or develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings. Therefore, any person requesting to intervene in a Commission proceeding must state with specificity the person's special interest that is not otherwise adequately represented, or the issues and facts that the person will present that will assist the Commission in fully considering the matter. A mere recitation of the quantity of utility service consumed by the movant or a general statement regarding a potential impact of possible modification of rates will not be deemed sufficient to establish a special interest.

6. Any motion to intervene filed after the date established in the procedural schedule shall also show good cause for being untimely. If the untimely motion is granted, the movant shall accept and abide by the existing procedural schedule.

7. Fleming-Mason Energy shall give notice of any scheduled hearing in accordance with the provisions set forth in 807 KAR 5:001, Section 9(2). In addition, the notice of hearing shall include the following statements: "This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov" and "Public comments may be

³ 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).

made at the beginning of the hearing. Those wishing to make oral public comments may do so by following the instructions listing on the PSC website, psc.ky.gov.” At the time publication is requested, Fleming-Mason Energy shall forward a duplicate of the notice and request to the Commission.

8. At any public hearing in this matter, neither opening statements nor summarization of direct testimonies shall be permitted.

9. Any hearing scheduled in this matter shall be held on the designated day or days and continued until called from the bench by the presiding officer. Pursuant to 807 KAR 5:001, Section 2, if the hearing is not concluded on the designated day, the hearing shall be continued upon verbal announcement by the presiding officer. A verbal announcement made by the presiding officer shall be proper notice of the continued hearing.

10. Witnesses who sponsor schedules, testimony, or responses to requests for information shall participate in person at any hearing scheduled in this matter.

11. Fleming-Mason Energy shall file a witness list at least seven days prior to the hearing date.

12. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), a digital video recording shall be made of the hearing.

13. The Commission does not look favorably upon motions for continuance. Accordingly, motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause.

14. The Commission does not look favorably upon motions to substitute witnesses or excuse witnesses from testifying at Commission hearings. Accordingly,

motions to substitute witnesses or excuse a witness from testifying at a Commission hearing or from testifying in person at a Commission hearing shall be made in writing at least 14 days prior to the hearing and will be granted only upon a showing of good cause.

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PUBLIC SERVICE COMMISSION

Signed
w/ provision

Angie Hatten
Chairman

Curtis Wood
Commissioner

Mary Pat Ryan
Commissioner

ATTEST:

Linda Bridwell RP
Executive Director



APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2025-00224 DATED AUG 18 2025

Last day for intervention requests to be accepted..... 09/04/2025

All initial requests for information to Fleming-Mason Energy
shall be filed no later than 09/11/2025

Fleming-Mason Energy shall file responses to initial requests for
information no later than..... 09/22/2025

All supplemental requests for information to Fleming-Mason Energy
shall be filed no later than 10/06/2025

Fleming-Mason Energy shall file responses to supplemental requests
for information no later than 10/17/2025

Intervenor testimony, if any, in verified prepared
form shall be filed no later than 10/30/2025

All requests for information to intervenors shall
be filed no later than 11/14/2025

Intervenors shall file responses to requests for
information no later than..... 12/01/2025

Fleming-Mason Energy shall file, in verified form, its rebuttal
testimony no later than 12/09/2025

Last day for parties to request a public hearing or submit a
request for the matter be decided based upon the written record 12/15/2025

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