

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF KENTUCKY)	
POWER COMPANY FOR (1) A GENERAL)	
ADJUSTMENT OF ITS RATES FOR ELECTRIC)	
SERVICE; (2) APPROVAL OF TARIFFS AND)	CASE NO.
RIDERS; (3) APPROVAL OF CERTAIN)	2025-00257
REGULATORY AND ACCOUNTING)	
TREATMENTS; AND (4) ALL OTHER REQUIRED)	
APPROVALS AND RELIEF)	

ORDER

This matter arises upon the motion of SWVA Kentucky, LLC (SWVA), filed September 17, 2025, for full intervention. As a basis for its motion, SWVA stated that it owns a steel production facility and purchases a significant amount of power from Kentucky Power.¹ SWVA also stated that it 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.²

LEGAL STANDARD

The Attorney General of the Commonwealth of Kentucky, by and through the Office of Rate Intervention (Attorney General), has the statutory right to intervene in Commission cases pursuant to KRS 367.150(8)(b). The Attorney General was granted intervention on August 13, 2025.³

¹ SWVA's Motion to Intervene (filed Sept. 17, 2025) at 2.

² SWVA's Motion to Intervene at 1-2.

³ Order (Ky. PSC Aug. 13, 2025).

With limited exception, intervention by all others is permissive and within the sole discretion of the Commission.⁴

The regulatory standard for permissive intervention, set forth in 807 KAR 5:001, Section 4, is twofold. Commission regulation 807 KAR 5:001, Section 4(11), requires a person to set forth in the motion to intervene either (1) a special interest in the proceeding that is not otherwise adequately represented in the case, or (2) that 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.

DISCUSSION AND FINDINGS

Based on a review of the pleadings at issue and being otherwise sufficiently advised, the Commission finds that SWVA has demonstrated that it is likely to present issues or develop facts that will assist the Commission in considering this matter without unduly complicating or disrupting the proceedings for the reasons discussed below.

SWVA asserted that it would present issues and develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings.⁵ SWVA stated that it takes service from Kentucky Power under Tariff C.S.-I.R.P and Tariff C.S.-I.R.P. and Kentucky Power offers SWVA a discount in exchange for SWVA's commitment to curtail or interrupt its load, which in turn helps Kentucky Power meet its PJM obligations.⁶ Additionally, to take service under C.S.-I.R.P, the customer is required to execute a written addendum setting forth the terms of service and basis for

⁴ KRS 164.2807.

⁵ SWVA's Motion to Intervene at 1-2.

⁶ SWVA's Motion to Intervene at 2-3.

customer interruptions, which SWVA has executed and is on file with the Commission.⁷

There are no objections to SWVA's motion to intervene.

Based on the above, the Commission finds that SWVA should be granted full rights of a party in this proceeding. The Commission directs SWVA to the Commission's July 22, 2021 Order in Case No. 2020-00085⁸ regarding filings with the Commission.

IT IS HEREBY ORDERED that:


1. SWVA's motion to intervene is granted.
2. SWVA is entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order.
3. SWVA shall comply with all provisions of the Commission's regulations, 807 KAR 5:001, Section 8, related to the service and electronic filing of documents.
4. SWVA shall adhere to the procedural schedule set forth in the Commission's September 11, 2025 Order and as amended by subsequent Orders.
5. Pursuant to 807 KAR 5:001, Section 8(9), within seven days of service of this Order, SWVA shall file a written statement with the Commission that:
 - a. Certifies that it, or its agent, possesses the facilities to receive electronic transmissions; and
 - b. Sets forth the electronic mail address to which all electronic notices and messages related to this proceeding shall be served.

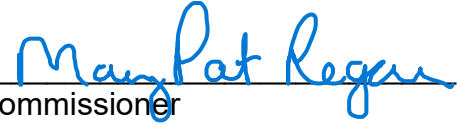
⁷ SWVA's Motion to Intervene 2-3.

⁸ 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).

PUBLIC SERVICE COMMISSION


Chairman


Commissioner


Commissioner

ATTEST:


Executive Director



Case No. 2025-00257

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