

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 from Kentucky Power Company's (Kentucky Power) January 21, 2026 motion, pursuant to 807 KAR 5:001, Section 22, for a deviation from the notice requirements set out in 807 KAR 5:001, Section 9(2), as it relates to the notice published regarding the Public Comment meeting in Ashland, Kentucky.<sup>1</sup>

BACKGROUND

On December 3, 2025, Kentucky Power delivered the required customer notice to the Kentucky Press Service, Inc. (Kentucky Press), an organization that acts on behalf of newspapers of general circulation throughout the Commonwealth of Kentucky in which customers affected reside, to be published in accordance with 807 KAR 5:001, Section 9(2)(b).<sup>2</sup> Kentucky Power requested, in writing, that Kentucky Press direct each newspaper in its service area publish notice between the dates of December 18, 2025,

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<sup>1</sup> Kentucky Power Company's Notice of Filing of Proof of Newspaper Publication and Motion for Deviation (Motion) (filed Jan. 21, 2026).

<sup>2</sup> Motion at 1.

and January 1, 2026.<sup>3</sup> Kentucky Power stated that *Louisa Big Sandy News* and the *Rowan County News* did not publish the notices as requested due to closures associated with the Christmas and New Years' Day holidays and published notice on January 7, 2026, or January 8, 2026, and *Hyden Leslie County News* did not run the notice at all due to an error on the part of the paper.<sup>4</sup> Kentucky Power argued that it acted in good faith and with due care in arranging for the timely publication of the notice and used its best efforts to give notice of this matter in compliance with Commission's October 17, 2025<sup>5</sup> Order and 807 KAR 5:001, Section 9(2)(b).<sup>6</sup>

### LEGAL STANDARD

Commission regulation 807 KAR 5:001, Section 22, permits the Commission to grant deviations upon a showing of good cause. Commission regulation 807 KAR 5:001, Section 9(2)(b)(2), states that if notice of a hearing is published by the applicant in a newspaper, it shall be published at least one time and not less than seven or more than twenty-one days prior to the hearing in a newspaper of general circulation in the areas that will be affected.

### DISCUSSION AND FINDINGS

Having reviewed the motion and being otherwise sufficiently advised, the Commission grants Kentucky Power's motion for a deviation and finds that Kentucky Power has provided good cause to deviate from the notice requirements of 807 KAR

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<sup>3</sup> Motion, Exhibit A.

<sup>4</sup> Motion at 1–2.

<sup>5</sup> Order (Ky. PSC Oct. 17, 2025).

<sup>6</sup> Motion at 2.

5:001, Section 9(2). Although Kentucky Power requested publication of notice in a timely manner, through no fault of Kentucky Power, two newspapers published notice late and one newspaper did not publish notice due to an error. Several other newspapers within the same general circulation area did publish the notice of the public comment meeting. Therefore, the Commission finds that Kentucky Power acted in good faith and any failure to comply with the regulation was due to factors outside its control and deviation from notice provisions should be granted.

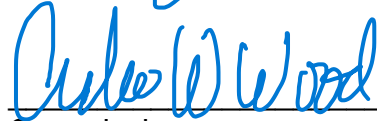
IT IS THEREFORE ORDERED that Kentucky Power's motion for deviation from 807 KAR 5:001, Section 9(2)(b)(2), for good cause is granted.

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PUBLIC SERVICE COMMISSION



Chairman



Commissioner



Commissioner

ATTEST:



Executive Director



\*Angela M Goad  
Assistant Attorney General  
Office of the Attorney General Office of Rate  
700 Capitol Avenue  
Suite 20  
Frankfort, KY 40601-8204

\*Jody Kyler Cohn  
Boehm, Kurtz & Lowry  
425 Walnut Street  
Suite 2400  
Cincinnati, OH 45202

\*Honorable Kimberly S McCann  
Attorney at Law  
VanAntwerp Attorneys, LLP  
1544 Winchester Avenue, 5th Floor  
P. O. Box 1111  
Ashland, KY 41105-1111

\*Ashley Wilmes  
Kentucky Resources Council, Inc.  
Post Office Box 1070  
Frankfort, KY 40602

\*Jennifer L. Parrish  
Kentucky Power Company  
1645 Winchester Avenue  
Ashland, KY 41101

\*Lawrence W Cook  
Assistant Attorney General  
Office of the Attorney General Office of Rate  
700 Capitol Avenue  
Suite 20  
Frankfort, KY 40601-8204

\*Byron Gary  
Kentucky Resources Council, Inc.  
Post Office Box 1070  
Frankfort, KY 40602

\*Jeffery D. Newcomb  
Kentucky Power Company  
1645 Winchester Avenue  
Ashland, KY 41101

\*Matt Partymiller  
President  
Kentucky Solar Industries Association  
1038 Brentwood Court  
Suite B  
Lexington, KY 40511

\*Honorable David Edward Spenard  
Strobo Barkley PLLC  
239 South 5th Street  
Ste 917  
Louisville, KY 40202

\*John Horne  
Office of the Attorney General Office of Rate  
700 Capitol Avenue  
Suite 20  
Frankfort, KY 40601-8204

\*Michael West  
Office of the Attorney General Office of Rate  
700 Capitol Avenue  
Suite 20  
Frankfort, KY 40601-8204

\*Tom Fitzgerald  
Kentucky Resources Council, Inc.  
Post Office Box 1070  
Frankfort, KY 40602

\*Kentucky Power Company  
1645 Winchester Avenue  
Ashland, KY 41101

\*Michael J. Schuler  
American Electric Power Service Corporation  
1 Riverside Plaza, 29th Floor  
Post Office Box 16631  
Columbus, OH 43216

\*Hector Garcia  
Kentucky Power Company  
1645 Winchester Avenue  
Ashland, KY 41101

\*Kenneth J Gish, Jr.  
Stites & Harbison  
250 West Main Street, Suite 2300  
Lexington, KY 40507

\*Honorable Michael L Kurtz  
Attorney at Law  
Boehm, Kurtz & Lowry  
425 Walnut Street  
Suite 2400  
Cincinnati, OH 45202

\*Harlee P. Havens  
Stites & Harbison  
250 West Main Street, Suite 2300  
Lexington, KY 40507

\*Katie M Glass  
Stites & Harbison  
421 West Main Street  
P. O. Box 634  
Frankfort, KY 40602-0634

\*Randal A. Strobo  
Strobo Barkley PLLC  
239 South 5th Street  
Ste 917  
Louisville, KY 40202

\*Toland Lacy  
Office of the Attorney General  
700 Capital Avenue  
Frankfort, KY 40601

\*Tanner Wolfram  
American Electric Power Service Corporation  
1 Riverside Plaza, 29th Floor  
Post Office Box 16631  
Columbus, OH 43216

\*W. Mitchell Hall, Jr.  
VanAntwerp Attorneys, LLP  
1544 Winchester Avenue, 5th Floor  
P. O. Box 1111  
Ashland, KY 41105-1111