

BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION

NASHVILLE, TENNESSEE

October 3, 2022

IN RE:

PETITION OF KINGSPORT POWER COMPANY D/B/A AEP
APPALACHIAN POWER FOR OCTOBER 2020 THROUGH
SEPTEMBER 2021 ANNUAL RECOVERY UNDER THE
TARGETED RELIABILITY PLAN AND MAJOR STORM
RIDER ("TRP&MS"), ALTERNATIVE RATE
MECHANISMS APPROVED IN DOCKET NO. 17-00032

DOCKET NO.
21-00142

ORDER GRANTING ELECTRONIC PARTICIPATION IN HEARING
FOR KPC WITNESSES CASTLE AND ALLEN

This matter is before the Hearing Officer upon the *Motion for Leave to Appear as Witnesses by Telephone at Tennessee Public Utility Commission Conference of October 10, 2022 on Behalf of Kingsport Power Company d/b/a AEP Appalachian Power* ("Motion") filed by Kingsport Power Company d/b/a AEP Appalachian Power ("KPC") on September 30, 2022. In its *Motion*, KPC seeks permission for its witnesses, William K. Castle and A. Wayne Allen, to participate by telephone in the hearing on its *Petition of Kingsport Power Company d/b/a AEP Appalachian Power for October 2020 through September 2021 Annual Recovery Under the Targeted Reliability Plan and Major Storm Rider ("TRP & MS"), Alternative Rate Mechanisms Approved in Docket No. 17-00032* ("Petition") to be held during the regularly scheduled Tennessee Public Utility Commission Conference beginning at 9:00 a.m. (central time) on October 10, 2022.

Under the Tennessee Uniform Administrative Procedures Act, decisions involving telephone participation in a hearing are within the hearing officer's discretion:

(c) In the discretion of the administrative judge or hearing officer and agency members and by agreement of the parties, all or part of the hearing may be conducted by telephone, television or other electronic means, if each participant in the hearing has an opportunity to participate in, to hear, and, if technically feasible, to see the entire proceedings while taking place.¹

In its *Motion*, KPC states that its witnesses are located out of state and that the intervening party, the Consumer Advocate, has no objection to their participation by telephone. Therefore, in accordance with the above-referenced statute, and considering that the request was timely filed and that personal appearance by the witnesses who reside out of state would be burdensome, the Hearing Officer grants KPC's *Motion*, subject to compliance with the following conditions:

1. Petitioner's attorney shall appear personally at the hearing to present and facilitate questioning of the Petitioner's witnesses.

2. Petitioner is required and solely responsible for securing a properly licensed Notary Public, in good standing, in the State or jurisdiction where the witness is giving telephonic testimony. During the hearing, the Notary Public shall be in the same physical location and appear with the testifying witness.

3. The Notary Public secured by the Petitioner shall be duly authorized to administer the testimonial oath, and shall do so during the hearing. The Notary Public is required to always remain in the presence of the witness until such time as the witness is excused from examination by the presiding Commissioner.

4. After the hearing, the Notary Public shall prepare and sign an affidavit, which bears the official seal of the Notary Public, affirming, (1) the proven identity of the witness, (2) the fact that the Notary Public properly administered the testimonial oath to such person, and (3) that the testimony given by the sworn witness was in accordance with the highest ethical standards, as

¹ Tenn. Code Ann § 4-5-312(c).

observed by the Notary Public. In addition, the testifying witness shall sign a conforming *Witness Certification*. (As a courtesy, Exhibit A contains sample forms of the *Witness Certification and Notary Public Affidavit*.)

5. An original *Witness Certification* and *Notary Public Affidavit* must be post-marked within five (5) days of the hearing and received by the Commission's Docket Manager via postage-paid U.S. Mail. Should the required affirming documents not be received by the Docket Manager as required above, the testimony of the witness may be struck from the record and constitute sufficient cause for denial of the *Petition*.

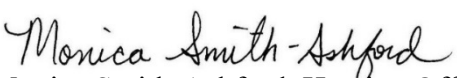
IT IS THEREFORE ORDERED THAT:

1. Subject to the conditions set forth in this Order, Kingsport Power Company d/b/a AEP Appalachian Power's witnesses, William K. Castle and A. Wayne Allen, may appear and participate by telephone in the hearing to be held during the Commission Conference on October 10, 2022, beginning at 9:00 a.m. (central time).

2. To avoid disruption of other matters scheduled for the consideration of the Commission, persons authorized to participate by telephone shall call 800-689-9374 and enter Guest Passcode: 233602# at least **five (5) minutes before the start time set for the Commission Conference**. The Commission Conference will begin promptly at 9:00 a.m. (central time).

BE IT SO ORDERED.

For the Commission:


Monica Smith-Ashford, Hearing Officer

cc: Interested Parties
Original in Docket File

BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION
NASHVILLE, TENNESSEE

IN RE:

(Case Style)

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Docket No. 00-00000

WITNESS CERTIFICATION

Affiant, duly sworn according to law, states as follows:

I, _____, attest and certify that on the _____ day of _____, 20____, I gave sworn testimony by telephonic means at a hearing in the above-styled docket before the Tennessee Public Utility Commission. I have read the Affidavit of the Notary Public, executed by Mr. /Mrs. _____, who administered the testimonial oath to me and witnessed my testimony, and I further acknowledge and affirm that the testimony I provided during the hearing complied with the highest ethical and legal standards.

FURTHER WITNESS SAITH NOT.

WITNESS my hand, at office, this _____ day of _____, 20____.

SIGNATURE OF WITNESS

NAME OF WITNESS (Printed)

BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION
NASHVILLE, TENNESSEE

IN RE:

(Case Style)

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Docket No. 00-00000

NOTARY PUBLIC AFFIDAVIT

Affiant, duly sworn according to law, states as follows:

1. I, _____, am a duly licensed Notary Public in good standing in the State of _____, County of _____. This Affidavit is made of my own personal knowledge.

2. My business address and telephone phone where I may be contacted is:

3. To provide sworn testimony by telephone before the Tennessee Public Utility Commission, _____ ("Witness") appeared personally before me and provided _____ (type of identification), which I verified, on the _____ day of _____, 20_____.

4. During the hearing, I properly administered the testimonial oath to the Witness before he/she testified by telephone before the Tennessee Public Utility Commission.

5. I remained in the presence of the Witness at all times during his/her testimony until such Witness was excused from examination by the Commission panel or Hearing Officer.

6. To the extent observable, the testimony given by the Witness was in accordance with the highest ethical and legal standards.

FURTHER AFFIANT SAITH NOT.

WITNESS my hand, at office, this _____ day of _____, 20____.

(OFFICIAL SEAL)

NOTARY PUBLIC

NOTARY PUBLIC (Printed)

My Commission Expires: