

**IN THE TENNESSEE PUBLIC UTILITY COMMISSION  
AT NASHVILLE, TENNESSEE**

<b>IN RE:</b>	)	
	)	
<b>PETITION OF KINGSPORT POWER</b>	)	
<b>COMPANY D/B/A AEP APPALACHIAN</b>	)	
<b>POWER FOR A GENERAL RATE CASE –</b>	)	<b>DOCKET NO. 22-00111</b>
<b>TARIFF CHANGES TO FUEL AND</b>	)	
<b>PURCHASED POWER ADJUSTMENT</b>	)	
<b>RIDER</b>	)	
	)	

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**CONSUMER ADVOCATE’S REQUEST TO WITHDRAW MOTION AS MOOT**

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The Consumer Advocate Division of the Office of the Tennessee Attorney General (“Consumer Advocate”) hereby submits this *Request to Withdraw Motion as Moot* in light of the *Response* of Kingsport Power Company d/b/a AEP Appalachian Power (“Kingsport” or the “Company”) filed July 19, 2023, to the *Consumer Advocate’s Motion to Strike or, in the Alternative, for Order to Show Cause* filed July 17, 2023.

As noted in the Consumer Advocate’s *Motion*, page 3 of the *Pre-Hearing Order* entered June 15, 2023, in this docket provides that “[t]he parties will file post-hearing briefs in lieu of presenting Closing Arguments. The post-hearing briefs will be due two weeks after the transcript has been released.” The Consumer Advocate received its copy of the hearing transcript on Tuesday, June 27, 2023, as stated in its *Motion* at ¶ 4. The *Consumer Advocate’s Post-Hearing Brief* was thus filed on July 11, 2023, in accordance with the *Pre-Hearing Order*.

The Consumer Advocate had no reason to believe the hearing transcript was not “released” or “distributed” to both parties on the same date. However, from the Company’s *Response*, it appears the Company did not receive its copy of the hearing transcript until Saturday, July 1, 2023.

Because the Company has demonstrated in the record that it did not receive the hearing transcript until July 1, 2023, the Consumer Advocate would respectfully suggest that no further action is required regarding the Consumer Advocate's *Motion* filed July 17, 2023.

RESPECTFULLY SUBMITTED,



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***TPUC Docket No. 22-00111***

***Consumer Advocate's Request to Withdraw Motion***

## **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served via U.S. Mail, with  
a courtesy copy by electronic mail upon:

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On this the 20<sup>th</sup> day of July 2023.



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**MASON C. RUSH**  
Assistant Attorney General