



BOUNDLESS ENERGY™

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October 13, 2022

Via Electronic Filing

Karen Buckley
Acting Executive Secretary
Public Service Commission of West Virginia
201 Brooks St.
Charleston, WV 25301

Re: Case No. 12-1188-E-PC (closed)
Appalachian Power Company and Wheeling Power Company
Application for Securitization Approval pursuant to W. Va. Code § 24-2-4f and
Approval of Affiliated Agreements pursuant to W. Va. Code § 24-2-12

Dear Ms. Buckley:

I am enclosing herewith on behalf of Appalachian Power Company ("APCo") for filing as a closed entry in the above-referenced proceeding the periodic true-up adjustment pursuant to Section Q.(ii) of the Commission's September 20, 2013 Financing Order in the above-referenced proceeding. APCo, as servicer of the consumer rate relief bonds, is filing this adjustment to correct collections during the previous collection period and to ensure the billing of consumer rate relief charges necessary to generate timely collection of amounts sufficient to pay in full the Periodic Payment Requirements for the upcoming collection periods.

This filing consists of the following attachments:

- (1) Calculation of APCRR Rates
- (2) Reconciliation of Projected Collections from November 2022 through October 2023
- (3) Summary of Rate Design Calculation
- (4) Sixth Revision of Original Sheet No. 35
- (5) Consumer Rate Relief Charges for Special Contract Customers
- (6) Semi-Annual Servicer's Certificate
- (7) Public Notice submitted to the Charleston Gazette-Mail

Thank you for your attention to this matter. If the Commission has any questions about this filing or concludes that there are any mathematical error(s) in the application of the adjustment mechanism, please do not hesitate to contact the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read "Keith D. Fisher".

Keith D. Fisher (WV State Bar #11346)
*Counsel for Appalachian Power Company
and Wheeling Power Company*

Enclosures

cc: Certificate of Service

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ATTACHMENT 1

APCO CRR Rate Comparison

| CRR Rate Classes | Previous Customer Rate Relief Charge Nov 2021 - Oct 2022 | | New Customer Rate Relief Charge Nov 2022 - Oct 2023 | |
|---|---|-------|--|-------|
| | ¢/kWh | \$/kW | ¢/kWh | \$/kW |
| | Residential (RS, RS- TOD) | 0.260 | | 0.284 |
| Commercial - Secondary (SWS, SGS, SS-Secondary, GS-Secondary) | 0.250 | | 0.260 | |
| Commercial - Primary (SS & GS Primary) | 0.250 | | 0.260 | |
| Commercial - Subtransmission (GS - Subtransmission) | 0.245 | | 0.254 | |
| Commercial - Special Contract C (Spec Contract C) | | | | |
| Commercial - Athletic Fields (GS- AF & SS -AF) | 0.234 | | 0.243 | |
| Commercial - OL & SL (OL & SL) | 0.252 | | 0.266 | |
| Industrial - Secondary (LCP & IP Secondary) | 0.218 | 0.956 | 0.254 | 1.368 |
| Industrial - Primary (LCP & IP Primary) | 0.191 | 0.493 | 0.223 | 0.556 |
| Industrial - Subtransmission (LCP & IP Subtransmission) | 0.206 | 0.458 | 0.240 | 0.492 |
| Industrial - Transmission (LCP & IP- Tran, Spec Contract K) | 0.166 | 0.293 | 0.192 | 0.338 |
| Industrial - Special Contract A (Spec Contract A) | 0.159 | 0.548 | 0.185 | 0.709 |
| Industrial - Special Contract B (Spec Contract B) | 0.114 | 0.116 | 0.099 | 0.116 |
| Industrial - Special Contract D (Spec Contract D) | 0.081 | | 0.088 | - |
| Industrial - Special Contract I (Spec Contract I) | 0.094 | 0.173 | 0.110 | 0.198 |

ATTACHMENT 2

Reconciliation of Over/Under Collection from November 2022 through October 2023:

| | |
|--|--------------|
| Excess Funds Subaccount Balance as of Semi-Annual Servicer Certificate 8/2/22 | \$146,947.14 |
| Capital Subaccount Withdraw as of Semi Annual Servicer Certificate 8/2/22 | \$0.00 |
| True Up from the July 2022 monthly Servicer's Certificate, not wired until 8/25/2022 | \$226,704.38 |

The collection months that occurred after the last Bond Payment:

Aug-22

| Current Model | | | | (Under)/Over |
|-----------------------|--------------------|------------|--|--------------|
| Projected Collections | Actual Collections | | | Collected |
| 2,476,261.61 | 2,683,045.45 | 206,783.84 | | \$206,783.84 |
| | | | | \$580,435.36 |

Section 101 (a) Over / (Under) Collections

ATTACHMENT 3

| (1) CRR Rate Classes | (2) Revenue Allocation Percentage | (3) (a) Forecasted Monthly Billing Demand (kW) | (3) (b) Relative percentage of total revenue requirement | (4) Forecasted Energy Nov 2022 - Oct 2023 (kWh) | (5) Periodic Billing Requirement for each CRR Rate Class | (6) Customer Rate Relief Charge (\$/kWh) | (7) Customer Rate Relief Charge (\$/kW) | (8) Revenue Verification | (9) Consumer Rate Relief Revenue Group |
|---|--------------------------------------|---|---|--|---|---|--|-----------------------------|---|
| Residential (RS, RS-TOD) | 40.93% | | | 4,789,016,940 | Demand \$ Energy \$ 13,563,020.50 | 0.284 | | \$ 13,563,020.75 | Residential |
| Commercial - Secondary (SWS, SGS, SS-Secondary, GS-Secondary) | 22.12% | | | 2,817,291,828 | \$ 7,329,929.48 | 0.260 | | \$ 7,329,929.58 | Commercial |
| Commercial - Primary (SS & GS Primary) | 2.31% | | 294,010,901 | \$ 765,467.32 | 0.260 | | \$ 765,467.35 | | |
| Commercial - Subtransmission (GS - Subtransmission) | 0.20% | | 26,051,552 | \$ 66,274.23 | 0.254 | | \$ 66,274.23 | | |
| Commercial - Special Contract C (Spec Contract C) | 0.00% | | 2,023,532 | \$ - | 0.000 | | \$ - | | |
| Commercial - Athletic Fields (GS - AF & SS - AF) | 0.05% | | 6,808,786 | \$ 16,568.56 | 0.243 | | \$ 16,568.56 | | |
| Commercial - OL & SL (OL & SL) | 0.73% | | 90,919,850 | \$ 241,900.93 | 0.266 | | \$ 241,900.93 | | |
| Industrial - Secondary (LCP & IP Secondary) | 1.39% | 12,858 | 46.14% | 97,022,043 | \$ 211,005.51 | 0.254 | 1.368 | \$ 457,292.15 | Industrial |
| Industrial - Primary (LCP & IP Primary) | 9.08% | 154,648 | 34.29% | 888,552,417 | \$ 1,031,732.46 | 0.223 | 0.556 | \$ 3,008,849.11 | |
| Industrial - Subtransmission (LCP & IP Subtransmission) | 10.51% | 204,133 | 34.60% | 949,025,260 | \$ 1,205,163.62 | 0.240 | 0.492 | \$ 3,482,711.51 | |
| Industrial - Transmission (LCP & IP - Tran, Spec Contract K) | 7.21% | 178,296 | 30.27% | 868,790,331 | \$ 723,268.71 | 0.192 | 0.338 | \$ 2,389,186.32 | |
| Industrial - Special Contract A (Spec Contract A) | 2.16% | 32,619 | 38.43% | 240,000,000 | \$ 277,593.79 | 0.185 | 0.709 | \$ 722,388.98 | |
| Industrial - Special Contract B (Spec Contract B) | 1.88% | 87,058 | 19.41% | 507,211,936 | \$ 120,945.90 | 0.099 | 0.116 | \$ 622,977.33 | |
| Industrial - Special Contract D (Spec Contract D) | 0.50% | 36,839 | 0.00% | 188,294,233 | \$ - | 0.088 | 0.000 | \$ 165,685.57 | |
| Industrial - Special Contract I (Spec Contract I) | 0.92% | 37,000 | 28.79% | 197,220,675 | \$ 87,759.12 | 0.110 | 0.198 | \$ 304,861.60 | |
| | | | | 11,942,240,282 | \$ 3,657,469.10 | | | \$ 33,137,113.98 | |
| | 100.00% | | | | \$ 29,479,644.27 | | | | |

ATTACHMENT 4

P.S.C. W.VA. TARIFF NO. 15 (APPALACHIAN POWER COMPANY)

Consumer Rate Relief Charges
(CRRC)

A Consumer Rate Relief Charge (CRRC) will be applied to customers' bills rendered on or after November 1, 2022 under the applicable Schedules as set forth in the table below.

| | <u>Schedule</u> | <u>Energy</u> (¢/kWh) | <u>Demand</u> (\$/kW) |
|-----|--------------------|--------------------------|--------------------------|
| (I) | RS | 0.284 | |
| | RS-TOD | | |
| (I) | On-peak | 0.284 | |
| (I) | Off-peak | 0.284 | |
| (I) | SWS | 0.260 | |
| (I) | SGS | 0.260 | |
| | SGS-LM-TOD | | |
| (I) | On-peak | 0.260 | |
| (I) | Off-peak | 0.260 | |
| | SS | | |
| (I) | Secondary | 0.260 | |
| (I) | Primary | 0.260 | |
| (I) | AF | 0.243 | |
| | GS | | |
| (I) | Secondary | 0.260 | |
| (I) | Primary | 0.260 | |
| (I) | Subtransmission | 0.254 | |
| | Transmission | 0.000 | |
| (I) | AF | 0.243 | |
| | GS-TOD | | |
| (I) | On-peak Secondary | 0.260 | |
| (I) | Off-peak Secondary | 0.260 | |
| (I) | On-peak Primary | 0.260 | |
| (I) | Off-peak Primary | 0.260 | |
| | LGS-TOD | | |
| (I) | On-peak Secondary | 0.260 | |
| (I) | Off-peak Secondary | 0.260 | |
| (I) | On-peak Primary | 0.260 | |
| (I) | Off-peak Primary | 0.260 | |
| | LCP | | |
| (I) | Secondary | 0.254 | 1.368 |
| (I) | Primary | 0.223 | 0.556 |
| (I) | Subtransmission | 0.240 | 0.492 |
| (I) | Transmission | 0.192 | 0.338 |
| | IP | | |
| (I) | Secondary | 0.254 | 1.368 |
| (I) | Primary | 0.223 | 0.556 |
| (I) | Subtransmission | 0.240 | 0.492 |
| (I) | Transmission | 0.192 | 0.338 |
| (I) | OL | 0.266 | |
| (I) | SL | 0.266 | |

(C) Indicates Change, (D) Indicates Decrease, (I) Indicates Increase, (N) Indicates, New (O) Indicates Omission, (T) Indicates Temporary

Issued Pursuant to
P.S.C. West Virginia
Case No. 12-1188-E-PC
Order Dated

Issued By
Christian T. Beam, President & COO
Charleston, West Virginia

Effective: Service rendered on or after
November 1, 2022

ATTACHMENT 5

**CONSUMER RATE RELIEF CHARGES FOR SPECIAL CONTRACT CUSTOMERS
EFFECTIVE NOVEMBER 1, 2022**

| <u>Special Contract Customer</u> | <u>Energy</u> (¢/kWh) | <u>Demand</u> (\$/kW) |
|---|----------------------------------|----------------------------------|
| Special Contract A | 0.185 | 0.709 |
| Special Contract B | 0.099 | 0.116 |
| Special Contract C | 0.000 | 0.000 |
| Special Contract D | 0.088 | 0.000 |
| Special Contract I | 0.110 | 0.198 |
| Special Contract K | 0.192 | 0.338 |

ATTACHMENT 6

Semi-Annual Servicer's Certificate

**Appalachian Power Company, as Servicer
Appalachian Consumer Rate Relief Funding LLC**

Pursuant to Section 4.01(c)(ii) of the CRR Property Servicing Agreement dated as of November 15, 2013 (the "Servicing Agreement") between, APPALACHIAN POWER COMPANY, as Servicer and APPALACHIAN CONSUMER RATE RELIEF FUNDING LLC, the servicer does hereby certify, for the AUGUST 01, 2022 Payment Date (the "current Payment Date"), as follows:

Capitalized terms used herein have their respective meanings as set forth in the Indenture (as defined in the Servicing Agreement). References herein to certain sections and subsections are references to the respective sections of the Servicing Agreement of the Indenture, as the context indicates.

Collection Periods: February-2022 to July-2022
Payment Date: 8/1/22

1. Collections Allocable and Aggregate Amounts Available for the Current Payment Date:

| | |
|---|----------------------|
| i. Remittances for the 02/22 collection period (1) | 2,860,615.43 |
| ii. Remittances for the 03/22 collection period | 2,894,977.29 |
| iii. Remittances for the 04/22 collection period | 2,309,361.35 |
| iv. Remittances for the 05/22 collection period | 2,274,042.40 |
| v. Remittances for the 06/22 collection period | 2,204,328.46 |
| vi. Remittances for the 07/22 collection period (2) | 2,200,263.43 |
| vii. Investment Earnings on Collection Account | |
| viii. Investment Earnings on Capital Subaccount | 3,398.21 |
| ix. Investment Earnings on Excess Funds Subaccount | 3,798.03 |
| x. Investment Earnings on General Subaccount | 17,283.10 |
| xi. General Subaccount Balance (sum of i through x above) | 14,768,067.70 |
| xii. Excess Funds Subaccount Balance as of Prior Payment Date | 2,120,364.50 |
| xiii. Capital Subaccount Balance as of Prior Payment Date | 1,901,500.00 |
| xiv. Collection Account Balance (sum of xi through xiii above) | 18,789,932.20 |

2. Outstanding Amounts as of Prior Payment Date:

Tranche

| | |
|--|-----------------------|
| i. Tranche A-1 Outstanding Amount | 22,873,576.00 |
| ii. Tranche A-2 Outstanding Amount | 164,500,000.00 |
| iii. Aggregate Outstanding Amount of all Tranches | 187,373,576.00 |

(1) Includes amounts calculated for the Reconciliation Period for the prior Collection Period, which was settled in February-2022

(2) Does not include the reconciliation amounts calculated for the Reconciliation Period for such Collection Period, which will be settled in the month following such Collection Period

3. Required Funding/Payments as of Current Payment Date:

| <u>Tranche</u> | | |
|----------------|------------------|---------------|
| i. | Tranche A-1 | 13,199,315.00 |
| ii. | Tranche A-2 | 0.00 |
| iii. | For all Tranches | 13,199,315.00 |

| <u>Interest Tranche</u> | <u>Interest Rate</u> | <u>Days in Interest Period(1)</u> | <u>Principal Balance</u> | <u>Interest Due</u> | |
|-------------------------|----------------------|-----------------------------------|--------------------------|-------------------------|--------------|
| iv. | Tranche A-1 | 2.0076% | 180 | 22,873,576.00 | 229,604.96 |
| v. | Tranche A-2 | 3.7722% | 180 | 164,500,000.00 | 3,102,634.50 |
| vi. | For all Tranches | | | | 3,332,239.46 |
| | | | <u>Required Level</u> | <u>Funding Required</u> | |
| vii. | Capital Subaccount | | 1,901,500.00 | 0.00 | |
| | | | 1,901,500.00 | 0.00 | |

4. Allocation of Remittances as of Current Payment Date Pursuant to 8.02(e) of Indenture:

| | | |
|------|---|--------------|
| i. | Trustee Fees and Expenses, Indemnity Amounts(2) | 0.00 |
| ii. | Servicing Fee | 95,075.00 |
| iii. | Administration Fee | 50,000.00 |
| iv. | Operating Expenses | 9,236.74 |
| v. | Semi-Annual Interest (including any past-due for prior periods) | 3,332,239.46 |

| <u>Interest Tranche</u> | <u>Aggregate</u> | <u>Per \$1000 of Original</u> | |
|-------------------------|------------------------------|-------------------------------|-------------------------|
| | | <u>Aggregate</u> | <u>Principal Amount</u> |
| 1. | Tranche A-1 Interest Payment | 229,604.96 | \$1.06 |
| 2. | Tranche A-2 Interest Payment | 3,102,634.50 | \$18.86 |
| | | 3,332,239.46 | |

| | | |
|-----|---|------|
| vi. | Principal Due and Payable as a Result of Event of Default or on Final Maturity Date | 0.00 |
|-----|---|------|

| <u>Per \$1000 of Original</u> | | | |
|-------------------------------|-------------------------------|------|--------|
| 1. | Tranche A-1 Principal Payment | 0.00 | \$0.00 |
| 2. | Tranche A-2 Principal Payment | 0.00 | \$0.00 |
| | | 0.00 | |

Notes:

- (1) On 30/360 day basis for initial payment date; otherwise use one-half of annual rate.
- (2) Subject to \$100,000 cap.

vii. Semi-Annual Principal 13,199,315.00

| <u>Interest Tranche</u> | <u>Aggregate</u> | <u>Per \$1000 of Original</u> |
|----------------------------------|------------------|-------------------------------|
| | | <u>Principal Amount</u> |
| 1. Tranche A-1 Principal Payment | 13,199,315.00 | \$61.16 |
| 2. Tranche A-2 Principal Payment | 0.00 | \$0.00 |
| | 13,199,315.00 | |

viii. Other Unpaid Operating Expenses 0.00
ix. Funding of Capital Subaccount 1,901,500.00
x. Permitted Return to APCo 55,618.86
xi. Deposit to Excess Funds Subaccount 146,947.14
xii. Released to Issuer upon Retirement of all Consumer Rate Relief Bonds 0.00
xiii. **Aggregate Remittances as of Current Payment Date** 18,789,932.20

5. Outstanding Amount and Collection Account Balance as of Current Payment Date (after giving effect to payments to be made on such Payment Date):

| <u>Tranche</u> | |
|--|----------------|
| i. Tranche A-1 Outstanding Amount | 9,674,261.00 |
| ii. Tranche A-2 Outstanding Amount | 164,500,000.00 |
| iii. Aggregate Outstanding Amount of all Tranches | 174,174,261.00 |
| iv. Excess Funds Subaccount Balance | 146,947.14 |
| v. Capital Subaccount Balance | 1,901,500.00 |
| vi. Aggregate Collection Account Balance | 2,048,447.14 |

6. Subaccount Withdrawals as of Current Payment Date (if applicable, pursuant to Section 8.02(e) of Indenture):

| | |
|-------------------------------|--------------|
| i. Excess Funds Subaccount | 2,124,162.53 |
| ii. Capital Subaccount | 1,904,898.21 |
| iii. Total Withdrawals | 4,029,060.74 |

7. Shortfalls In Interest and Principal Payments as of Current Payment Date:

| | |
|----------------------------------|------|
| i. Semi-annual Interest | |
| 1. Tranche A-1 Interest Payment | 0.00 |
| 2. Tranche A-2 Interest Payment | 0.00 |
| | 0.00 |
| ii. Semi-annual Principal | |
| 1. Tranche A-1 Principal Payment | 0.00 |
| 2. Tranche A-2 Principal Payment | 0.00 |
| | 0.00 |

8. Shortfalls in payment of permitted return as of Current Payment Date:

i. Permitted Return

0.00

9. Shortfalls in Required Subaccount Levels as of Current Payment Date:

i. Capital Subaccount

0.00

IN WITNESS HEREOF, the undersigned has duly executed and

delivered this Servicer's Certificate this 28th day of July, 2022.

APPALACHIAN POWER COMPANY
as Servicer

DocuSigned by:
By: 

Name: Renee V. Flawkins

Title: Managing Director, Corporate Finance

ATTACHMENT 7

CASE NO. 12-1188-E-PC

APPALACHIAN POWER COMPANY and
WHEELING POWER COMPANY, both
doing business as AMERICAN ELECTRIC POWER

Petition for consent and approval of application to securitize uncollected expanded net energy costs pursuant to W.Va. Code §24-2-4f and affiliated agreements pursuant to W.Va. Code §24-2-12.

NOTICE OF STANDARD TRUE-UP ADJUSTMENT TO CONSUMER RATE RELIEF CHARGE

On September 20, 2013, the Public Service Commission of West Virginia (“Commission”) issued a Financing Order (“Financing Order”) to Appalachian Power Company (“APCo”) and Wheeling Power Company (together, the “Companies”).

In the Financing Order, the Commission authorized APCo to impose, charge, and collect consumer rate relief charges (“CRRCs”) from its West Virginia customers. The Financing Order specified, among other things, that the consumer rate relief charge would be adjusted through periodic “true-up” adjustments and that, when a true-up adjustment would have the effect of increasing the consumer rate relief charge, the Companies would be required to provide public notice through the publication of a Class I legal advertisement in Kanawha County.

The Companies are filing this month with the Commission a standard true-up adjustment to take effect on November 1, 2022. This adjustment will increase the CRRC for nearly all customers. The new rates are shown below:

| APCO CRR Comparison | | | | | | | |
|---|--|-------|--|-------|---|-------|--|
| CRR Rate Classes | Customer Rate Relief Charge Nov 2021 - Oct 2022 | | Customer Rate Relief Charge Nov 2022 - Oct 2023 | | Customer Rate Relief Charge November 2022 - Oct 2023 | | |
| | ¢/kWh | \$/kW | ¢/kWh | \$/kW | ¢/kWh | \$/kW | |
| Residential (RS, RS- TOD) | 0.260 | | 0.284 | | 0.024 | | |
| Commercial - Secondary (SWS, SGS, SS-Secondary, GS-Secondary) | | | | | 0.010 | | |
| Commercial - Primary (SS & GS Primary) | 0.250 | | 0.260 | | 0.010 | | |
| Commercial - Subtransmission (GS - Subtransmission) | 0.245 | | 0.254 | | 0.009 | | |
| Commercial - Special Contract C (Spec Contract C) | | | | | | | |
| Commercial - Athletic Fields (GS- AF & SS -AF) | 0.234 | | 0.243 | | 0.009 | | |
| Commercial - OL & SL (OL & SL) | 0.252 | | 0.266 | | 0.014 | | |
| Industrial - Secondary (LCP & IP Secondary) | 0.218 | 0.956 | 0.254 | 1.368 | 0.036 | 0.412 | |
| Industrial - Primary (LCP & IP Primary) | 0.191 | 0.493 | 0.223 | 0.556 | 0.032 | 0.063 | |
| Industrial - Subtransmission (LCP & IP Subtransmission) | 0.206 | 0.458 | 0.240 | 0.492 | 0.034 | 0.034 | |
| Industrial - Transmission (LCP & IP- Tran, Spec Contract K) | 0.166 | 0.293 | 0.192 | 0.338 | 0.026 | 0.045 | |
| Industrial - Special Contract A (Spec Contract A) | 0.159 | 0.548 | 0.185 | 0.709 | 0.026 | 0.161 | |
| Industrial - Special Contract B (Spec Contract B) | 0.114 | 0.116 | 0.099 | 0.116 | (0.015) | 0.000 | |
| Industrial - Special Contract D (Spec Contract D) | 0.081 | | 0.088 | - | 0.007 | 0.000 | |
| Industrial - Special Contract I (Spec Contract I) | 0.094 | 0.173 | 0.110 | 0.198 | 0.016 | 0.025 | |

CERTIFICATE OF SERVICE

**PUBLIC SERVICE COMMISSION
OF WEST VIRGINIA
CHARLESTON**

CASE NO. 12-1188-E-PC (closed)

**APPALACHIAN POWER COMPANY and
WHEELING POWER COMPANY,**
public utilities.

*Application for Securitization Approval
pursuant to W. Va. Code § 24-2-4f and
Approval of Affiliated Agreements
pursuant to W. Va. Code § 24-2-12*

CERTIFICATE OF SERVICE

I, Keith D. Fisher, counsel for Appalachian Power Company and Wheeling Power Company, do hereby certify that a true and correct copy of the foregoing filing was served electronically upon the following on this 13th day of October, 2022:

| | |
|---|---|
| Wendy Braswell, Esq. Public Service Commission of West Virginia 201 Brooks Street Charleston, WV 25301 <i>Counsel for Staff of WV Public Service Commission</i> | Robert F. Williams, Esq. Heather B. Osborn, Esq. Bobby Lipscomb, Esq. Consumer Advocate Division 300 Capitol Street, Suite 810 Charleston, WV 25301 <i>Counsel for Consumer Advocate Division</i> |
| Susan J. Riggs, Esq. Spilman Thomas & Battle, PLLC 300 Kanawha Blvd E Charleston, WV 25301 <i>Counsel for WVEUG</i> | Derrick P. Williamson, Esq. Barry A. Naum, Esq. Spilman Thomas & Battle, PLLC 1100 Bent Creek Blvd, Suite 101 Mechanicsburg, PA 17050 <i>Counsel for WVEUG</i> |
| James V. Kelsh, Esq. Leonard Knee, Esq. Bowles Rice McDavid Graff & Love LLP P.O. Box 1386 Charleston, WV 25325-1386 <i>Counsel for Century Aluminum of WV, Inc.</i> | Charles K. Gould, Esq. Jenkins Fenstermaker, PLLC 325 Eighth Street, Second Floor Huntington, WV 25701 <i>Counsel for SWVA, Inc.</i> |
| Damon E. Xenopoulos, Esq. Stone Mattheis Xenopoulos & Brew, PC 1025 Thomas Jefferson Street NW Suite 800 West Washington, DC 20007 <i>Counsel for SWVA, Inc.</i> | |

Keith D. Fisher

Keith D. Fisher (WV State Bar #11346)