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January 22, 2007

Ms. Beth O'Donnell
Executive Director
Public Service Commission
PO Box 615
211 Sower Blvd.
Frankfort, KY 40602-0615

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JAN 23 2007

PUBLIC SERVICE
COMMISSION

Re: Cumberland Valley Electric, Inc. v. Kentucky Utilities, Inc.
Case No. 2006-00148

Dear Ms. O'Donnell:

Attached are the original and eight copies of the Motion of Cumberland Valley Electric, Inc. to Establish Briefing Schedule, or in the Alternative, to Set Hearing Date, in the above-styled case. I have this day caused to be served a copy of the Motion by first class mail on the parties named on the attached service list.

Please call if you have any questions concerning this filing. Thank you.

Sincerely,



Anthony G. Martin

Attorney for Cumberland Valley Electric, Inc.

Cc: Attached Service List [w/enclosure]

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Gray, KY 40734

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CUMBERLAND VALLEY ELECTRIC, INC.)	
)	
COMPLAINANT)	
)	
vs.)	CASE NO. 2006-00148
)	
)	
KENTUCKY UTILITIES COMPANY)	
)	
DEFENDANT)	

**MOTION OF CUMBERLAND VALLEY ELECTRIC,
INC., TO ESTABLISH BRIEFING SCHEDULE, OR
IN THE ALTERNATIVE, TO SET HEARING DATE**

Comes now Cumberland Valley Electric, Inc ("CVE"), by counsel, and for its Motion to Establish Briefing Schedule, or in the Alternative, to Set Hearing Date, states as follows.

In its Order of November 9, 2006, amending the procedural schedule in this case, the Commission established dates for discovery and rebuttal testimony, and stated that a hearing date would be scheduled. All scheduled steps in the procedural schedule have now been completed, but no hearing date has been scheduled. CVE believes that the record in this case is sufficient so that the case can be decided on briefs and without an evidentiary hearing, and therefore respectfully moves that the Commission establish a briefing schedule to

expeditiously resolve the issues pending before it¹. CVE suggests that a briefing schedule be established with simultaneous initial briefs from all parties to be due 20 days from the date of the Commission's Order granting this Motion, and that reply briefs may be filed within ten days of the filing of the initial brief if desired.

In the event that the Commission determines that an evidentiary hearing is required in this case, CVE moves in the alternative that the hearing be scheduled at the Commission's earliest availability.

Wherefore, CVE moves that the Commission establish a briefing schedule in accordance with this motion, or in the alternative that an evidentiary hearing date be set at the Commission's earliest availability.

Respectfully submitted,



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¹ CVE does not hereby waive its right to fully participate in any hearing should the Commission determine that a hearing for any purpose should be scheduled.

phauser@barbourville.com

**ATTORNEYS FOR COMPLAINANT
CUMBERLAND VALLEY ELECTRIC, INC.**